



## ***City of Lake Stevens Vision Statement***

*By 2030, we are a sustainable community around the lake with a vibrant economy, unsurpassed infrastructure and exceptional quality of life.*

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### **CITY COUNCIL REGULAR MEETING AGENDA REMOTE ACCESS ONLY**

#### **JOIN MEETING**

**TO LISTEN TO THE MEETING PLEASE DIAL IN TO 253 215 8782**

**Meeting ID # 862 5730 1525**

**Tuesday, June 9, 2020 – 7:00 p.m.**

<b>CALL TO ORDER</b>	7:00 p.m.	Mayor
<b>PLEDGE OF ALLEGIANCE</b>		Mayor
<b>ROLL CALL</b>		
<b>APPROVAL OF AGENDA</b>		Council President
<b>GUEST BUSINESS</b>	None	
<b>OATH OF OFFICE</b>	Officer Lexi Warbis	John D.
<b>CITIZEN COMMENTS</b>		
<b>COUNCIL BUSINESS</b>		Council President
<b>MAYOR'S BUSINESS</b>		
<b>CITY DEPARTMENT REPORT</b>	Update	
<b>CONSENT AGENDA</b>	 *A 2020 Vouchers *B City Council Regular Meeting Minutes of May 26, 2020 *C Ratify Mayor's Lift of Stay Home, Stay Safe Order dated March 23, 2020	Barb Kathy Mayor

**Lake Stevens City Council Regular Meeting Agenda**

**June 9, 2020**

<b>PUBLIC HEARING:</b>	*D Ordinance 1091 Updating FEMA Regulations	Russ
<b>ACTION ITEMS:</b>	*E Interlocal Agreement with Snohomish Health District re Per Capita Contribution *F New Capital Projects Position	Gene Anya
<b>DISCUSSION ITEMS:</b>	G Utility Committee H Hazard Pay Policy	Councilmembers Petershagen & Tageant Mayor

**CITIZEN COMMENTS**

**EXECUTIVE SESSION:** Real Property with no action to follow

**ADJOURN**

* ITEMS ATTACHED	** ITEMS PREVIOUSLY DISTRIBUTED	# ITEMS TO BE DISTRIBUTED
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**THE PUBLIC IS INVITED TO ATTEND**

**Special Needs**

*The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact Human Resources, City of Lake Stevens ADA Coordinator, (425) 622-9400, at least five business days prior to any City meeting or event if any accommodations are needed. For TDD users, please use the state's toll-free relay service, (800) 833-6384, and ask the operator to dial the City of Lake Stevens City Hall number.*

***NOTICE: All proceedings of this meeting are audio recorded, except Executive Sessions.***

BLANKET VOUCHER APPROVAL  
**2020**

Payroll Direct Deposits		
Payroll Checks		
Electronic Funds Transfers	<b>ACH</b>	<b>\$153,926.40</b>
Claims	<b>50484-50551</b>	<b>\$837,658.91</b>
Void Checks		<b>(\$160.00)</b>
Total Vouchers Approved:		<b>\$991,425.31</b>

**This 9th day of June 2020**

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment or a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Lake Stevens, and that I am authorized to authenticate and certify to said claim.

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Finance Director/Auditing Officer

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Mayor



June 9th, 2020

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**City Expenditures by Type on this voucher packet**

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Personnel Costs	\$	-	0%
Payroll Federal Taxes	\$	86,264	9%
Retirement Benefits - Employer	\$	60,238	6%
Other Employer paid Benefits	\$	369	0%
Employee paid benefits - By Payroll	\$	11,318	1%
Supplies	\$	30,131	3%
Professional Services *	\$	241,418	24%
Capital - **	\$	561,848	57%
Void Check	\$	(160)	0.0%
<b>Total</b>	<b>\$</b>	<b>991,425</b>	<b>100%</b>

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**Large Purchases**

\*20th Street SE Extension Consulting - \$85,920

\*\* South Lake Stevens Road Project - \$402,276



Total for Period
\$991,585.31

Checks to be approved for period 05/21/2020 - 06/03/2020

**Vendor: Ace Hardware**

**Check Number: 50489**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
66271	6/3/2020	001 010 576 80 31 00	PK-Operating Costs	Credit Link Chain Quick/Screw Eye	(\$0.03)
66273	6/3/2020	001 010 576 80 31 00	PK-Operating Costs	One Fit Fast Wood Blade 3pk	\$32.69
66305	6/3/2020	001 010 576 80 31 00	PK-Operating Costs	Scuffle Hoe/Steel Rake	\$147.08
66306	6/3/2020	410 016 531 10 31 02	SW-Operating Costs	Airwicks	\$16.94
66310	6/3/2020	001 010 576 80 31 00	PK-Operating Costs	Smartflow Hose	\$49.04
66328	6/3/2020	001 010 576 80 31 00	PK-Operating Costs	Drill Bits/Fasteners	\$71.70
66337	6/3/2020	410 016 531 10 31 02	SW-Operating Costs	Cable Ties/Chem Gloves/Welded Wire	\$42.48
66345	6/3/2020	410 016 531 10 31 02	SW-Operating Costs	Utility Knife/Toggle Switch/Fuse Holder/Pails	\$59.22
66362	6/3/2020	410 016 531 10 31 02	SW-Operating Costs	Utility Knife/Master Lock	\$21.34
66397	6/3/2020	001 010 576 80 31 00	PK-Operating Costs	Pruner/Garden Knife	\$94.80
66449	6/3/2020	111 008 521 20 31 00	Drug Seize - Operating Costs	Corded Soldering Ironing Kit/Hex Key Set - Drone Supplies	\$45.76
66516	6/3/2020	001 008 521 20 48 00	LE-Repair & Maintenance Equip	Ford Key	\$8.70
66529	6/3/2020	001 010 576 80 31 00	PK-Operating Costs	Hose/Plants/Flex Seal	\$198.17
					<b>\$787.89</b>

**Vendor: Active Excavator Rentals Inc**

**Check Number: 50490**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
10376	6/3/2020	304 010 594 76 60 02	Frontier Heights Pk Redevelop	Excavator Rental - Frontier Heights	\$7,303.00
					<b>\$7,303.00</b>

**Vendor: Alpine Fire and Safety Systems Inc**

**Check Number: 50491**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
61233	6/3/2020	001 008 521 50 30 00	LE-Facilities Supplies	First Aid Supplies	\$116.41
					<b>\$116.41</b>

**Vendor: Alta Planning Design Inc**

**Check Number: 50492**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
00-2019-172-9	6/3/2020	001 010 576 80 41 00	PK-Professional Services	Trails Master Plan Development	\$6,553.50
					<b>\$6,553.50</b>

**Vendor: Amazon Capital Services**

**Check Number: 50493**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
13DX-VVPW-MN6M	6/3/2020	001 008 521 20 31 00	LE-Office Supplies	USB Charging Station/Lightning Cable	\$76.26
1JQG-3WNP-JJ67	6/3/2020	111 008 521 20 31 00	Drug Seize - Operating Costs	Drone Propeller Blades	\$71.71
1K7P-NR4J-6PKW	6/3/2020	001 008 521 20 48 00	LE-Repair & Maintenance Equip	CV - Credit N95 Masks Invoice 1YPV-Y7MC-H7L6	(\$348.78)
1Q6X-FT69-MQM4	6/3/2020	001 008 521 20 31 01	LE-Fixed Minor Equipment	Rescue Packs	\$122.82
1Q96-XVF6-K4PR	6/3/2020	001 008 521 20 31 01	LE-Fixed Minor Equipment	Firearms Rifle Case	\$43.59
1Q96-XVF6-MFMK	6/3/2020	001 008 521 20 31 01	LE-Fixed Minor Equipment	Heavy Duty Kraft Brown Paper Barrel Sack Bags	\$63.56
1W6P-NNJV-VGVR	6/3/2020	111 008 521 20 31 00	Drug Seize - Operating Costs	Mounting Bracket for Drone	\$63.31
					<b>\$92.47</b>

**Vendor: Amazon Capital Services**

**Check Number: 50494**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
1HRP-HHY6-KWCN	6/3/2020	001 005 518 10 31 00	HR-Office Supplies	USB Flash Drives	\$27.57
1KRR-Y69G-DPNT	6/3/2020	001 012 594 75 64 00	CS - Pavillion - Capital	Keystone Jacks	\$54.49
1RLR-TQDW-MLXY	6/3/2020	001 007 558 50 31 02	PL-Permit Related Op. Costs	Wood Bookcase Display	\$230.70
					<b>\$312.76</b>

**Vendor: Aquatechnex LLC**

**Check Number: 50495**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
11385	6/3/2020	410 016 531 10 41 02	SW-Milfoil Treatment	2020 Milfoil Treatment	\$18,366.50
					<b>\$18,366.50</b>

**Vendor: Barrett**

**Check Number: 50496**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
2178	6/3/2020	306 000 594 21 60 00	Police Dept Project Account	Debris Removal - Police Dept	\$14,143.75
2179	6/3/2020	410 016 531 10 31 02	SW-Operating Costs	Street Sweepings Disposal	\$13,737.50
					<b>\$27,881.25</b>

**Vendor: CDW Government Inc**

**Check Number: 50497**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
XVJ7502	6/3/2020	001 012 594 75 64 00	CS - Pavillion - Capital	Surveillance Camera - The Mill	\$3,302.70
XVL4282	6/3/2020	510 006 518 80 49 18	LR - Microsoft Enterprise Agmt	Annual Microsoft Suite	\$47,354.07
XVP2313	6/3/2020	001 012 594 75 64 00	CS - Pavillion - Capital	Panoramic Camera/Mounting Supplies - The Mill	\$10,346.28
XVQ8814	6/3/2020	001 012 594 75 64 00	CS - Pavillion - Capital	Yamaha Speaker	\$708.50
XVQ9655	6/3/2020	001 012 594 75 64 00	CS - Pavillion - Capital	Yamaha Processor/Control Panel/Controller/Speakers	\$7,927.37
XV2324	6/3/2020	001 012 594 75 64 00	CS - Pavillion - Capital	Digital Receiver	\$1,048.15
XWM8311	6/3/2020	001 012 594 75 64 00	CS - Pavillion - Capital	Cyberpower Surge Strip/APC Smart Rack/Tower LCD	\$2,270.26
					<b>\$72,957.33</b>

**Vendor: City of Marysville**

**Check Number: 50498**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
POLIN 20-0042	6/3/2020	001 008 523 60 41 00	LE-Jail	Prisoner Housing Marysville April 2020	\$1,033.60
POLIN 20-0042	6/3/2020	001 008 523 60 41 00	LE-Jail	Prisoner Housing Video Court April 2020	\$174.00
					<b>\$1,207.60</b>

**Vendor: Comdata Inc**

**Check Number: 50499**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
20334556	6/3/2020	001 008 521 20 32 00	LE-Fuel	PD Fuel	\$271.74
					<b>\$271.74</b>

**Vendor: Crim**

**Check Number: 50500**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
052820 CRIM	6/3/2020	001 003 514 20 31 00	CC-Office Supply	CV - Reimburse Wireless Keyboard/Mouse Combo	\$27.60
052820 CRIM	6/3/2020	001 004 514 23 31 00	FI-Office Supplies	CV - Reimburse Wireless Keyboard/Mouse Combo	\$27.59
					<b>\$55.19</b>

**Vendor: Crystal Springs**

**Check Number: 50501**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
16015194 052320	6/3/2020	001 008 521 50 30 00	LE-Facilities Supplies	Bottled Water - Police Department	\$51.59 \$51.59

**Vendor: Dept of Retirement (Deferred Comp)**

**Check Number: 0**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
052220	5/27/2020	001 000 282 00 00 00	Payroll Liability Retirement	Employee Portion-State Deferre	\$2,450.00 \$2,450.00

**Vendor: Dept of Retirement PERS LEOFF**

**Check Number: 0**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
052220	5/27/2020	001 000 282 00 00 00	Payroll Liability Retirement	PERS LEOFF Contributions	\$60,183.78
052220S	5/27/2020	001 000 282 00 00 00	Payroll Liability Retirement	PERS LEOFF Contributions State	\$53.74 \$60,237.52

**Vendor: Dept of Revenue EFT**

**Check Number: 0**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
April2020	5/27/2020	001 013 518 90 49 06	GG-Excise Tax	Excise taxes April 2020	\$11.75 \$11.75

**Vendor: Dicks Towing Inc**

**Check Number: 50502**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
SNO1535	6/3/2020	001 008 521 20 41 00	LE-Professional Services	Evidence Towing 2020-08132	\$126.27 \$126.27

**Vendor: Dylan**

**Check Number: 50503**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
ISSIGN06022020	6/3/2020	001 007 571 00 30 00	PL-Park & Recreation	Farmers Market Insurance Policy	\$275.00
ISSIGN06022020	6/3/2020	001 007 571 00 30 00	PL-Park & Recreation	Farmers Market Signage	\$130.80 \$405.80

**Vendor: EFTPS**

**Check Number: 0**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
052220	5/27/2020	001 000 281 00 00 00	Payroll Liability Taxes	Federal Payroll Taxes	\$86,263.63 \$86,263.63

**Vendor: Electronic Business Machines**

**Check Number: 50504**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
AR165684	6/3/2020	001 007 558 50 48 00	PL-Repairs & Maint.	Copier Repair & Maintenance PL	\$58.31
AR165684	6/3/2020	001 007 559 30 48 00	PB-Repair & Maintenance	Copier Repair & Maintenance PB	\$58.31
AR165684	6/3/2020	101 016 542 30 48 00	ST-Repair & Maintenance	Copier Repair & Maintenance PW	\$58.31
AR165684	6/3/2020	410 016 531 10 48 00	SW-Repairs & Maintenance	Copier Repair & Maintenance PW	\$58.32
AR166233	6/3/2020	001 008 521 20 48 00	LE-Repair & Maintenance Equip	Copier Repair & Maintenance PD	\$96.13 \$329.38

**Vendor: Fastenal Company**

**Check Number: 50505**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
WAAR140119	6/3/2020	410 016 531 10 31 02	SW-Operating Costs	Ball Lock Socket Adapter	\$8.39 \$8.39

**Vendor: Feldman and Lee**

**Check Number: 50506**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
050120 FELDMAN	6/3/2020	001 011 515 91 41 00	LG-General Public Defender	Public Defender Services May 2020	\$10,000.00 \$10,000.00

**Vendor: Gardner**

**Check Number: 50507**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
769	6/3/2020	001 008 521 20 48 00	LE-Repair & Maintenance Equip	Install LEDs PT60/78/82/83/89 & A80/A84/A91	\$542.50 \$542.50

**Vendor: Grainger**

**Check Number: 50508**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
9536529226	6/3/2020	001 010 576 80 31 00	PK-Operating Costs	Sanding Belt	\$9.35
9536529226	6/3/2020	101 016 544 90 31 02	ST-Operating Cost	Sanding Belt	\$9.35
9536529226	6/3/2020	410 016 531 10 31 02	SW-Operating Costs	Sanding Belt	\$9.35
9536529234	6/3/2020	001 010 576 80 31 00	PK-Operating Costs	Disc Sander Belt/Sanding Disc Cloth	\$339.62
9536529234	6/3/2020	101 016 544 90 31 02	ST-Operating Cost	Disc Sander Belt/Sanding Disc Cloth	\$339.61
9536529234	6/3/2020	410 016 531 10 31 02	SW-Operating Costs	Disc Sander Belt/Sanding Disc Cloth	\$339.61
9544058101	6/3/2020	001 010 576 80 31 00	PK-Operating Costs	Cooling Towel	\$36.88
9544058101	6/3/2020	101 016 544 90 31 02	ST-Operating Cost	Cooling Towel	\$36.89
9544058101	6/3/2020	410 016 531 10 31 02	SW-Operating Costs	Cooling Towel	\$36.89
9544753008	6/3/2020	001 010 576 80 31 00	PK-Operating Costs	Sunscreen	\$58.86
9544753008	6/3/2020	101 016 544 90 31 02	ST-Operating Cost	Sunscreen	\$58.87
9544753008	6/3/2020	410 016 531 10 31 02	SW-Operating Costs	Sunscreen	\$58.87

**\$1,334.15**

**Vendor: Green Dot Concrete LLC**

**Check Number: 50509**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
3909	6/3/2020	410 016 531 10 31 02	SW-Operating Costs	Concrete	\$724.85 \$724.85

**Vendor: HB Jaeger Co LLC**

**Check Number: 50510**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
U2016022939	6/3/2020	001 013 518 20 48 00	GG-Repair & Maintenance	Heated Flip Top Encl Valve Repair	\$1,176.61 \$1,176.61

**Vendor: HDR Engineering Inc**

**Check Number: 50511**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
1200269184	6/3/2020	304 016 595 60 60 05	Trestle/HOV Lane	Engineering Services - 20th Street BAT Lane Impr	\$35,284.22 \$35,284.22

**Vendor: Home Depot**

**Check Number: 50512**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
0012117	6/3/2020	410 016 531 10 31 02	SW-Operating Costs	Pressure Treated Lumber	\$22.13
3015290	6/3/2020	001 010 576 80 31 00	PK-Operating Costs	Stone Veneer Mortar/Grout Bags	\$47.85
6084423	6/3/2020	001 010 576 80 31 00	PK-Operating Costs	Carbide Rotary Hammer Drill Bit	\$15.64
6084423	6/3/2020	101 016 544 90 31 02	ST-Operating Cost	Carbide Rotary Hammer Drill Bit	\$15.64
6084423	6/3/2020	410 016 531 10 31 02	SW-Operating Costs	Carbide Rotary Hammer Drill Bit	\$15.64
6141929	6/3/2020	001 010 576 80 31 00	PK-Operating Costs	Nails/Saw Blade/Stapler/Fence Picket/Cedar Board	\$201.53
6141929	6/3/2020	101 016 544 90 31 02	ST-Operating Cost	Nails/Saw Blade/Stapler/Fence Picket/Cedar Board	\$201.53
6141929	6/3/2020	410 016 531 10 31 02	SW-Operating Costs	Nails/Saw Blade/Stapler/Fence Picket/Cedar Board	\$201.53
7141926	6/3/2020	001 010 576 80 31 00	PK-Operating Costs	Utility Knife/Hammer/Tape Measure/Trashbags/Screws	\$83.26
7141926	6/3/2020	101 016 544 90 31 02	ST-Operating Cost	Utility Knife/Hammer/Tape Measure/Trashbags/Screws	\$83.26
7141926	6/3/2020	410 016 531 10 31 02	SW-Operating Costs	Utility Knife/Hammer/Tape Measure/Trashbags/Screws	\$83.26
					<b>\$971.27</b>

**Vendor: Honey Bucket**

**Check Number: 50513**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
0551551323	6/3/2020	001 010 576 80 45 00	PK-Equipment Rental	Honey Bucket Rental - Swim Beach	\$437.25
0551555774	6/3/2020	001 010 576 80 45 00	PK-Equipment Rental	Honey Bucket Rental - Library Event	\$540.00
					<b>\$977.25</b>

**Vendor: Horizon Distributors Inc**

**Check Number: 50514**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
2M096252	6/3/2020	001 010 576 80 31 00	PK-Operating Costs	Rain Bird Irrigation Controller	\$94.91
					<b>\$94.91</b>

**Vendor: HSA Bank**

**Check Number: 50484**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
052220	5/27/2020	001 000 284 00 00 00	Payroll Liability Other	Health Savings Account Employee Contributions	\$456.24
					<b>\$456.24</b>

**Vendor: HW Lochner Inc**

**Check Number: 50515**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
28	6/3/2020	301 016 544 40 41 02	17005 - 24th & 91st Ext Design	24th Street SE Extension Consulting	\$85,920.35
					<b>\$85,920.35</b>

**Vendor: J Thayer Company Inc**

**Check Number: 50516**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
1453264-0	6/3/2020	001 008 521 20 31 00	LE-Office Supplies	Permanent Markers/Tape	\$117.66
1454361-0	6/3/2020	001 007 558 50 31 00	PL-Office Supplies	Folders	\$92.83
1454361-0	6/3/2020	001 007 559 30 31 00	PB-Office Supplies	Chairmat - Permit Technician	\$88.20
1454361-0	6/3/2020	001 013 518 20 31 00	GG-Operating Costs	Chairmat - Reception	\$88.20
1454381-0	6/3/2020	001 013 518 20 31 00	GG-Operating Costs	CV - Clorox Wipes	\$51.99
1454381-0	6/3/2020	001 013 518 20 31 00	GG-Operating Costs	Paper Towels	\$37.01
1454517-0	6/3/2020	001 008 521 20 31 00	LE-Office Supplies	Notebooks/Post It Notes/Paper Pads	\$76.55

1454977-0	6/3/2020	001 013 518 20 31 00	GG-Operating Costs	Towel Dispenser/TCell Dispenser/Wastebasket/Broom	\$238.81
1454977-1	6/3/2020	001 013 518 20 31 00	GG-Operating Costs	Recycling Receptacle/TP/Paper Towels/Dustpan	\$1,162.38
1455698-0	6/3/2020	001 007 559 30 31 00	PB-Office Supplies	White Board/Markers/Partition Hangers	\$128.41
C1452960-0	6/3/2020	001 007 558 50 31 00	PL-Office Supplies	Credit Folders	(\$73.01)
					<b>\$2,009.03</b>

**Vendor: Key Code Media Inc**

**Check Number: 50517**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
0004430	6/3/2020	001 012 594 75 64 00	CS - Pavillion - Capital	Network Video Production Camera/Mount - The Mill	\$3,345.43
					<b>\$3,345.43</b>

**Vendor: Krazan & Associates Inc**

**Check Number: 50518**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
I616676-26402	6/3/2020	306 000 594 21 60 00	Police Dept Project Account	Engineering Services - Police Department	\$880.00
					<b>\$880.00</b>

**Vendor: Lake Industries LLC**

**Check Number: 50519**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
38260	6/3/2020	304 010 594 76 60 02	Frontier Heights Pk Redevelop	Fill Hauled In - Dry Materials - Frontier Heights	\$2,040.00
38264	6/3/2020	304 010 594 76 60 02	Frontier Heights Pk Redevelop	Fill Hauled In - Dry Materials - Frontier Heights	\$2,040.00
38265	6/3/2020	304 010 594 76 60 02	Frontier Heights Pk Redevelop	Fill Hauled In - Dry Materials - Frontier Heights	\$180.00
38269	6/3/2020	304 010 594 76 60 02	Frontier Heights Pk Redevelop	Fill Hauled In - Dry Materials - Frontier Heights	\$792.00
38273	6/3/2020	304 010 594 76 60 02	Frontier Heights Pk Redevelop	Fill Hauled In - Dry Materials - Frontier Heights	\$2,040.00
38275	6/3/2020	304 010 594 76 60 02	Frontier Heights Pk Redevelop	Fill Hauled In - Dry Materials - Frontier Heights	\$1,320.00
38277	6/3/2020	304 010 594 76 60 02	Frontier Heights Pk Redevelop	Fill Hauled In - Dry Materials - Frontier Heights	\$60.00
					<b>\$8,472.00</b>

**Vendor: Lake Stevens Chamber of Commerce**

**Check Number: 50520**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
060120 CHAMBER	6/3/2020	001 013 518 90 49 01	GG-Chamber of Commerce	Contributions for VIC June 2020	\$1,500.00
					<b>\$1,500.00</b>

**Vendor: Lake Stevens Police Guild**

**Check Number: 50485**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
052220	5/27/2020	001 000 284 00 00 00	Payroll Liability Other	Employee Paid Union Dues	\$1,121.00
					<b>\$1,121.00</b>

**Vendor: Land Development Consultants Inc**

**Check Number: 50521**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
052920 LDC	6/3/2020	003 000 345 81 00 00	Zoning-Subdivision Fees	Refund Overpayment on LUA2020-0018	\$3,661.55
					<b>\$3,661.55</b>

**Vendor: Land Development Consultants Inc**

**Check Number: 50522**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
20884	6/3/2020	305 010 594 76 60 00	North Cove Park Cap-Local	North Cove Park Plaza Design	\$1,144.85
20887	6/3/2020	302 010 594 76 61 01	PM - North Cove Capital	North Cove Park Plaza Design - Phase II	\$32,244.87
					<b>\$33,389.72</b>

**Vendor: Larsen**

**Check Number: 50523**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
052220 LARSEN	6/3/2020	101 016 542 30 49 00	ST-Miscellaneous	Refund LUA2019-0185 Application Withdrawn	\$880.00 <b>\$880.00</b>

**Vendor: Les Schwab Tire Center**

**Check Number: 50524**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
40200503417	6/3/2020	101 016 542 30 48 00	ST-Repair & Maintenance	Patched Tire/Radial Repair - Backhoe	\$138.41 <b>\$138.41</b>

**Vendor: LN Curtis & Sons**

**Check Number: 50525**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
INV389528	6/3/2020	001 008 521 20 31 05	LE-Equipment - New Officers	New Officer Uniform - Warbis L	\$1,127.29
INV389588	6/3/2020	001 008 521 20 31 05	LE-Equipment - New Officers	New Officer Uniform - Warbis L	\$6.90
INV389944	6/3/2020	001 008 521 20 31 05	LE-Equipment - New Officers	New Officer Uniform - Warbis L	\$75.78

**\$1,209.97**

**Vendor: Nationwide Retirement Solution**

**Check Number: 0**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
052220	5/27/2020	001 000 282 00 00 00	Payroll Liability Retirement	Employee Portion-Nationwide	\$4,420.00 <b>\$4,420.00</b>

**Vendor: NC Machinery Co**

**Check Number: 50526**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
V0442302	6/3/2020	304 010 594 76 60 02	Frontier Heights Pk Redevelop	Donzer Rental - Frontier Heights	\$5,944.86 <b>\$5,944.86</b>

**Vendor: Nelson Distributing Inc**

**Check Number: 50527**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
0731369-IN	6/3/2020	001 010 576 80 32 00	PK-Fuel Costs	Fuel	\$1,958.07
0731369-IN	6/3/2020	101 016 542 30 32 00	ST-Fuel	Fuel	\$1,958.07
0731369-IN	6/3/2020	410 016 531 10 32 00	SW-Fuel	Fuel	\$1,958.07

**\$5,874.21**

**Vendor: Ogden Murphy Wallace PLLC**

**Check Number: 50528**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
838847	6/3/2020	001 011 515 41 41 00	Ext Consultation - City Atty	CV - Legal Services April 2020	\$6,710.00
838847	6/3/2020	001 011 515 41 41 00	Ext Consultation - City Atty	Legal Services April 2020	\$26,491.60
838847	6/3/2020	001 011 515 41 41 01	Ext Consult - PRA	Legal Services Public Records April 2020	\$3,045.00
838847	6/3/2020	401 070 535 10 41 00	SE-Professional Service	Legal Services Sewer April 2020	\$467.50

**\$36,714.10**

**Vendor: Oldcastle Infrastructure Inc**

**Check Number: 50529**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
010237915	6/3/2020	305 010 594 76 60 00	North Cove Park Cap-Local	Locking Junction Box	\$1,921.92 <b>\$1,921.92</b>

**Vendor: Origin Design Group LLC**

**Check Number: 50530**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
0857	6/3/2020	306 000 594 21 60 00	Police Dept Project Account	Landscape Plan Police Department	\$4,750.00 <b>\$4,750.00</b>

**Vendor: Pace Engineers Inc**

**Check Number: 50531**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
75626	6/3/2020	411 016 594 31 60 00	Decant Facility Project	Engineering Services Decant Facility	\$16,083.75 <b>\$16,083.75</b>

**Vendor: Purchase Power**

**Check Number: 50532**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
01831977 0520	6/3/2020	001 007 558 50 42 00	PL-Communication	Postage	\$48.39
01831977 0520	6/3/2020	001 013 518 20 42 00	GG-Communication	Postage	\$247.55
01831977 0520	6/3/2020	101 016 543 30 42 00	ST-Communications	Postage	\$2.03
01831977 0520	6/3/2020	410 016 531 10 42 00	SW-Communications	Postage	\$2.03
					<b>\$300.00</b>

**Vendor: Quadient Finance USA Inc**

**Check Number: 50533**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
80346335 0520	6/3/2020	001 008 521 20 42 00	LE-Communication	Postage Machine Equipment Rental PD	\$221.42 <b>\$221.42</b>

**Vendor: Rexel USA Inc**

**Check Number: 50534**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
0J23491	6/3/2020	302 010 594 76 61 06	PM - War Memorial	Tap Connectors/Conduit/GCFI Receptacles - War Memorial	\$507.97
0J29968	6/3/2020	305 010 594 76 60 00	North Cove Park Cap-Local	Outlet Box/Conduit/Wire Connectors - North Cove	\$38.53
0J34714	6/3/2020	305 010 594 76 60 00	North Cove Park Cap-Local	Mounting Bracket/Wire Cables/Tape - North Cove	\$443.85
					<b>\$990.35</b>

**Vendor: Snohomish County Auditor**

**Check Number: 50486**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
052620 SNOCO	5/27/2020	306 000 594 21 60 00	Police Dept Project Account	Recording Correction for new PD Buildings	\$107.50 <b>\$107.50</b>

**Vendor: Snohomish County PUD**

**Check Number: 50535**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
100429273	6/3/2020	001 012 575 51 47 00	CS - Grimm House Utilities	222484701 Grimm House Electric	\$16.60
118563730	6/3/2020	001 010 576 80 47 00	PK-Utilities	200493443 Catherine Creek Park Electric	\$16.60
125202390	6/3/2020	101 016 542 63 47 00	ST-Lighting - Utilities	202013249 Traffic Signal 1933 79th Ave SE	\$79.80
125202390	6/3/2020	101 016 542 64 47 00	ST-Traffic Control -Utility	202013249 Traffic Signal 7441 20th St SE	\$65.80
135094278	6/3/2020	001 010 576 80 47 00	PK-Utilities	203599006 City Shop Electric/Water	\$160.63
135094278	6/3/2020	101 016 543 50 47 00	ST-Utilities	203599006 City Shop Electric/Water	\$160.63
135094278	6/3/2020	410 016 531 10 47 00	SW-Utilities	203599006 City Shop Electric/Water	\$160.68
138306269	6/3/2020	001 010 576 80 47 00	PK-Utilities	202340527 Decant Yard	\$6.79
138306269	6/3/2020	101 016 543 50 47 00	ST-Utilities	202340527 Decant Yard	\$6.79
138306269	6/3/2020	410 016 531 10 47 00	SW-Utilities	202340527 Decant Yard	\$6.80

151541735	6/3/2020	001 010 576 80 47 00	PK-Utilities	203582010 Lundeen Restrooms Electric	\$108.54
151541735	6/3/2020	001 010 576 80 47 00	PK-Utilities	203582010 Lundeen Restrooms Water	\$712.25
151541735	6/3/2020	001 012 557 30 40 01	CS - VIC Utilities	203582010 Visitor Information Center Electric	\$80.78
151541735	6/3/2020	101 016 542 63 47 00	ST-Lighting - Utilities	203582010 Street Lights	\$48.84
164376906	6/3/2020	101 016 542 63 47 00	ST-Lighting - Utilities	203728159 Traffic Signal	\$53.07
					<b>\$1,684.60</b>

**Vendor: Snohomish County PW**

**Check Number: 50536**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
I000529555	6/3/2020	001 010 576 80 47 01	PK-Storm Drainage	2020 Surface Water Mgmt BOND Charges	\$472.69
I000529555	6/3/2020	001 013 518 20 47 01	GG-Storm Drainage	2020 Surface Water Mgmt BOND Charges	\$246.72
I000529555	6/3/2020	101 016 542 40 41 00	ST-Storm Drainage	2020 Surface Water Mgmt BOND Charges	\$10.95
I000529555	6/3/2020	401 070 535 10 47 00	SE-Storm Drainage	2020 Surface Water Mgmt BOND Charges	\$21.73
I000529813	6/3/2020	101 016 542 64 48 00	ST-Traffic Control - R&M	Signal/Sign Repair & Maint April 2020	\$1,476.55
					<b>\$2,228.64</b>

**Vendor: Snohomish County Sheriffs Office**

**Check Number: 50537**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
2020-6324	6/3/2020	001 008 523 60 41 00	LE-Jail	Jail Services April 2020	\$3,773.29
2020-6341	6/3/2020	001 008 523 60 41 00	LE-Jail	Jail Services Medical April 2020	\$2.18
					<b>\$3,775.47</b>

**Vendor: Sound Publishing Inc**

**Check Number: 50538**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
EDH896156	6/3/2020	001 007 558 50 41 03	PL-Advertising	Public Hearing Code Update	\$100.88
EDH897893	6/3/2020	001 007 558 50 41 03	PL-Advertising	LUA2020-0062 Public Hearing Code Update	\$104.74
EDH898075	6/3/2020	001 007 558 50 41 03	PL-Advertising	LUA2020-0061 Corrected Notice of Application	\$104.74
EDH898149	6/3/2020	001 007 558 50 41 04	Permit Related Professional Sr	LUA2020-0057 Robinson Dock Extension	\$79.40
EDH898227	6/3/2020	001 007 558 50 41 03	PL-Advertising	LUA2020-0070/0071 Lake Stevens Police Department	\$131.89
EDH898230	6/3/2020	001 007 558 50 41 03	PL-Advertising	Public Hearing Code Update	\$101.12
EDH898580	6/3/2020	001 013 518 30 41 01	GG-Advertising	Ordinance 1081	\$41.39
					<b>\$664.16</b>

**Vendor: Sound Safety Products Co Inc**

**Check Number: 50539**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
351808/1	6/3/2020	001 010 576 80 26 00	PK- Clothing - Boot Allowance	Boots - Holly M	\$296.44
					<b>\$296.44</b>

**Vendor: Stericycle Inc**

**Check Number: 50540**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
3005093603	6/3/2020	001 008 521 20 41 01	LE-Professional Serv-Fixed	Hazardous Waste Disposal	\$10.36
					<b>\$10.36</b>

**Vendor: Steuber Distributing Co**

**Check Number: 50541**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
2889284	6/3/2020	101 016 544 90 31 02	ST-Operating Cost	Roadside Weed Spray	\$873.38
					<b>\$873.38</b>

**Vendor: Strider Construction Co Account 62763077500**

**Check Number: 50542**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
PROGRESS 6	6/3/2020	301 016 595 61 64 02	18004 - S. Lake Stevens Rd	Retainage - S Lake Stevens Rd Multi Use Path Project 18004	\$20,113.79 <b>\$20,113.79</b>

**Vendor: Strider Construction Co Inc**

**Check Number: 50543**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
PROGRESS 6	6/3/2020	301 016 595 61 64 02	18004 - S. Lake Stevens Rd	S Lake Stevens Rd Multi Use Path Project 18004	\$382,162.09 <b>\$382,162.09</b>

**Vendor: Tacoma Screw Products Inc**

**Check Number: 50544**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
18275524	6/3/2020	001 010 576 80 31 00	PK-Operating Costs	Steel Hex Bolts	\$147.13
18275524	6/3/2020	101 016 544 90 31 02	ST-Operating Cost	Steel Hex Bolts	\$147.12
18275524	6/3/2020	410 016 531 10 31 02	SW-Operating Costs	Steel Hex Bolts	\$147.12
18275525	6/3/2020	001 010 576 80 31 00	PK-Operating Costs	Metal Sawzall Blade	\$31.05
18275525	6/3/2020	101 016 544 90 31 02	ST-Operating Cost	Metal Sawzall Blade	\$31.06
18275525	6/3/2020	410 016 531 10 31 02	SW-Operating Costs	Metal Sawzall Blade	\$31.06
18275526	6/3/2020	001 010 576 80 31 00	PK-Operating Costs	Bits/Screws/Nuts/Washers/Brake Cleaner/Oil/Safety Glasses	\$126.35
18275526	6/3/2020	101 016 544 90 31 02	ST-Operating Cost	Bits/Screws/Nuts/Washers/Brake Cleaner/Oil/Safety Glasses	\$126.34
18275526	6/3/2020	410 016 531 10 31 02	SW-Operating Costs	Bits/Screws/Nuts/Washers/Brake Cleaner/Oil/Safety Glasses	\$126.34

**\$913.57**

**Vendor: Technological Services Inc**

**Check Number: 50545**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
16544	6/3/2020	001 008 521 20 48 00	LE-Repair & Maintenance Equip	Express Lube/Tire Rotation/Brake Inspection PT-19-82	\$82.90
16565	6/3/2020	001 008 521 20 48 00	LE-Repair & Maintenance Equip	Express Lube/Transmission Service/Preventative Maint PT-17-75	\$559.29
16584	6/3/2020	001 008 521 20 48 00	LE-Repair & Maintenance Equip	Express Lube/Filters/Brake Inspec I-17-73	\$149.99

**\$792.18**

**Vendor: United Rentals North America Inc**

**Check Number: 50546**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
180567849-002	6/3/2020	304 010 594 76 60 02	Frontier Heights Pk Redevelop	Bedding Box 5 Yard - Frontier Heights	\$1,298.19 <b>\$1,298.19</b>

**Vendor: UPS**

**Check Number: 50547**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
0000074Y42200	6/3/2020	001 008 521 20 42 00	LE-Communication	Evidence Shipping	\$1.06
0000074Y42210	6/3/2020	001 008 521 20 42 00	LE-Communication	Evidence Shipping	\$14.90

**\$15.96**

**Vendor: Vantagepoint Transfer Agents - 108991**

**Check Number: 50487**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
052220	5/27/2020	001 000 282 00 00 00	Payroll Liability Retirement	ICMA Deferred Comp - Employer Contribution	\$368.95 <b>\$368.95</b>

**Vendor: Vantagepoint Transfer Agents - 307428**

**Check Number: 50488**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
052220	5/27/2020	001 000 282 00 00 00	Payroll Liability Retirement	ICMA Deferred Comp - Employee Contribution	\$2,030.77 <b>\$2,030.77</b>

**Vendor: Washington State Support Registry**

**Check Number: 0**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
052220	5/27/2020	001 000 284 00 00 00	Payroll Liability Other	Employee Paid Child Support	\$543.50 <b>\$543.50</b>

**Vendor: Wave Broadband**

**Check Number: 50548**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
103946401-0008171	6/3/2020	001 002 513 11 42 00	AD-Communications	Telephone Service	\$23.56
103946401-0008171	6/3/2020	001 003 514 20 42 00	CC-Communications	Telephone Service	\$47.13
103946401-0008171	6/3/2020	001 004 514 23 42 00	FI-Communications	Telephone Service	\$47.13
103946401-0008171	6/3/2020	001 005 518 10 42 00	HR-Communications	Telephone Service	\$23.56
103946401-0008171	6/3/2020	001 006 518 80 42 00	IT-Communications	Telephone Service	\$70.69
103946401-0008171	6/3/2020	001 007 558 50 42 00	PL-Communication	Telephone Service	\$153.25
103946401-0008171	6/3/2020	001 007 559 30 42 00	PB-Communication	Telephone Service	\$23.56
103946401-0008171	6/3/2020	001 008 521 20 42 00	LE-Communication	Telephone Service	\$801.51
103946401-0008171	6/3/2020	001 012 575 30 42 00	CS - Museum - Communications	Telephone Service Museum	\$23.57
103946401-0008171	6/3/2020	001 012 575 50 42 00	CS- Pavilion - Communication	Telephone Service Senior Ctr	\$23.56
103946401-0008171	6/3/2020	001 013 518 20 42 00	GG-Communication	Telephone Service	\$94.26
103946401-0008171	6/3/2020	101 016 543 30 42 00	ST-Communications	Telephone Service Shop	\$135.62
103946401-0008171	6/3/2020	410 016 531 10 42 00	SW-Communications	Telephone Service Shop	\$135.62
103946401-0008171	6/3/2020	510 006 518 80 49 04	LR - WaveBroadband Fiber Lease	Fiber Leases	\$1,886.70 <b>\$3,489.72</b>

**Vendor: Webb**

**Check Number: 50549**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
052020 WEBB	6/3/2020	001 000 362 00 00 04	Lundeen Shelter Rental	Refund Lundeen Rental 07/25/2020 Due to COVID-19	\$120.00 <b>\$120.00</b>

**Vendor: Wells**

**Check Number: 50550**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
061720 WELLS	6/3/2020	001 008 521 20 43 00	LE-Travel & Per Diem	PerDiem - Meals Patrol Rifle Recert Vancouver - Wells	\$96.00 <b>\$96.00</b>

**Vendor: Zachor and Thomas Inc PS**

**Check Number: 50551**

Invoice No	Check Date	Account Number	Account Name	Description	Amount
20-LKS0005	6/3/2020	001 011 515 41 41 02	Ext Consult - Prosecutor Fees	Prosecution Services May 2020	\$12,900.00 <b>\$12,900.00</b>



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**CITY OF LAKE STEVENS  
CITY COUNCIL REGULAR MEETING MINUTES**

Tuesday, May 26, 2020  
By Remote Participation

CALL TO ORDER:	7:02 p.m. by Mayor Brett Gailey
ELECTED OFFICIALS PRESENT:	Mayor Brett Gailey, Councilmembers Gary Petershagen and Steve Ewing
ELECTED OFFICIALS PARTICIPATING REMOTELY:	Councilmembers Kim Daughtry, Shawn Frederick, Mary Dickinson, Anji Jorstad, Marcus Tageant,
ELECTED OFFICIALS ABSENT:	None
STAFF MEMBERS PRESENT:	City Administrator Gene Brazel, City Clerk Kathy Pugh
STAFF MEMBERS PARTICIPATING REMOTELY:	Finance Director Barb Stevens, Community Development Director Russ Wright, Public Works Director Eric Durpos, Human Resources Director Anya Warrington, City Clerk Kathy Pugh, Deputy City Clerk Adri Crim, City Attorney Greg Rubstello, Assistant Planner Jill Needham, Parks Planning & Development Coordinator Jill Meis
OTHERS:	Heather Thomas, Snohomish Health District

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Mayor Gailey opened the meeting at 7:02 p.m.

**Pledge of Allegiance:** Mayor Gailey led the Pledge of Allegiance.

**Roll Call:** It was noted for the record all Councilmembers are present.

**Approval of Agenda:** Moved by Councilmember Ewing, seconded by Councilmember Petershagen, to approve the agenda.

Mayor Gailey asked that Action Item N, Interlocal Agreement with Snohomish Health District re Per Capita Funding be removed to allow time for legal review.

Councilmember Jorstad clarified there can still be discussion regarding per capita funding for the Snohomish Health District.

Councilmember Dickinson requested the May 19, 2020 Workshop Meeting Minutes be corrected at page 2, Trail Master Plan to reflect her request that lighting be added "only at trail entrances" for safety.

**VOTE:** On roll call vote the motion carried with the noted changes. (7-0-0-0).

**Guest Business:** Heather Thomas, with Snohomish Health District, shared a PowerPoint presentation and reviewed the status of COVID-19 in Snohomish County and the Health District's response to the pandemic. Ms. Thomas said Health District information is shared to the public on the Health District's web site, Facebook page and Twitter, including meetings and data tables. She then reviewed the various COVID data tables and explained the information they contain, and the criteria for moving from Phase I to Phase II. Currently Snohomish County is reporting too many new cases to move to Phase II, but the numbers are dropping. Key priorities include increasing testing and contact tracing, continued outreach to long term facilities such as long-term care and nursing homes, continuing to work with Snohomish County to ensure enough PPE equipment is available for healthcare workers and first responders, and long range planning. Also, there is a continuing effort to push information out to the community.

Ms. Thomas next reviewed other ongoing essential work of the Health District including birth and death certificate issuances, other health issues, and environmental work.

Ms. Thomas said the 2020 budget was balanced and she reviewed the staffing levels and how they are affected by the need to push staffing resources to respond to the pandemic.

Ms. Thomas said the Health District received \$10.9 million from the CARES Act and said these funds will be used for augmenting contact tracing and case investigation staff, and testing capacity as the county moves through Phase II and into Phase III. Per capita dollars are applied to other Health District programs such as Naloxone for law enforcement, community events which may be conducted virtually, preparation of the community health assessment and development of strategic improvement plans. Other programs include suicide prevention, safe routes to school, healthy housing and childcare health outreach. Ms. Thomas added the Health District is planning for special sessions beyond 2020, and implementation of the 2020 Strategic Plan adopted by the Board of Health.

In closing, Ms. Thomas encouraged that the Health District blogs and newsletters are available to the public. She then invited questions.

Councilmember Petershagen requested additional information on how the CARES Act funding will be used. Ms. Thomas explained funding will be used to ramp up case investigation and contact tracing, including hiring employees to do this, so the county can move to Phase II. It will also provide increased testing across the county. The Health District is considering having multiple testing sites and expanding the criteria for testing. She added there are additional expenses for computers, phones and office equipment for new employees. She said the \$10.9 million will be directed specifically to COVID through December 2020.

Councilmember Petershagen clarified the Health District will hire approximately 120 people and asked about the hiring timeline. Ms. Thomas responded the process is underway with job descriptions being completed and planning for new hire training. She said there are some resources such as Washington State Department of Health that can help, but the Health District is moving as quickly as possible to onboard new employees and move into Phase II. She added these are temporary positions.

Councilmember Ewing asked about the hiring timeline and transparency. Ms. Thomas said some is dependent on response, but there have been inquiries about positions and once the positions are established the Health District will reach out to those who have inquired as well as advertise the positions on the Health District web site and on social media. COVID updates will

continue to be made and, the Health District is required to report back to Snohomish County Council and Executive's office as well as to the state.

Councilmember Ewing asked about suicides during COVID. Ms. Thomas said she does not have numbers but has heard anecdotal information. She said this topic was addressed in a recent Health District blog and added the Health District is trying to determine the numbers, but just does not have them right now.

Councilmember Ewing said law enforcement is spending a disproportionate amount of time responding to suicides and domestic violence and he believes this needs to be carefully looked at.

Councilmember Ewing asked how community members are notified of meetings, such as in the case of the last meeting where an unelected Health District official was given a significant amount of authority. Ms. Thomas explained a special meeting notice was sent out the day before by press release and posted on the Health District web page. She added the local health officer is legally authorized by RCW to do what was discussed in executive session, including taking civil action. This is done for nuisance properties, food establishments and diseases such as tuberculosis and STDs. In this case, because of the potential for litigation and associated costs, leadership brought it to the board in executive session, and the board felt it was necessary to take action following the executive session. Further responding to Councilmember Ewing's questions, Ms. Thomas said it is rare that the Health Officer takes action against community members, and it is usually around diseases, such as tuberculosis. In this instance, the concern is about businesses not complying with Health Department restrictions. Any action taken would be as a last resort.

Councilmember Ewing requested an update on the number of camps utilized when people are removed from their residence. Ms. Thomas explained this was not done in coordination with the Health District and said she had very limited information on this. She added the only facility is the isolation and quarantine facility at Angel of the Winds, coordinated by Department of Emergency Management.

Councilmember Jorstad thanked Ms. Thomas for her presentation and said per capita funding was ended by Lake Stevens due to a lack of reporting which she believes has been resolved. She added health districts should be fully funded through dedicated state funding.

**MOTION:** Moved by Councilmember Jorstad, seconded by Councilmember Dickinson, to resume per capita funding for Snohomish Health District in the amount of \$1 per capita effective for January 1, 2020.

City Attorney Rubstello requested a vote on this motion be tabled to the next meeting to allow time for legal review and an opportunity to discuss this topic with the Health District's attorney.

Mayor Gailey clarified the motion is for fiscal year 2020.

Councilmember Jorstad tabled the motion to the next regular City Council meeting.

Responding to Mayor Gailey's question regarding using the National Guard to conduct contact tracing in Snohomish County, Ms. Thomas said currently the National Guard is not attached. She added the process with Washington State Department of Health is very seamless and the Health District does not always know who is making the follow up calls. She briefly explained

the process for case investigation and contact tracing, saying the questions are health-related and do not ask for personal information. She added people can decline to answer.

Mayor Gailey asked what the current COVID related expenses of the Health District are. Ms. Thomas said she does not know but will provide it tomorrow.

Mayor Gailey thanked Ms. Thomas for her time.

**Citizen Comments:**

Rich Mietzner, 10404 Sandy Beach Drive, Lake Stevens, does not support an interim ordinance to allow multifamily residential in the Waterfront Residential zone. He asked that the Task Force be used as was promised in December.

Mayor Gailey said Councilmembers have received written public comments from the following: Janice Huxford, Jane Molenkamp, Richard Mietzner, Lynn Coburn, Kathy Nysether, Daniel Myers, Karen Boe, Charles Whipple and Laura Hardy.

Loydeen Chapman, 11519 North Lakeshore Drive, Lake Stevens, encouraged Council to consider lake water quality and impervious surfaces when considering changes to Waterfront Residential zoning.

Gary Olson, 10010 N. Davies Road, Lake Stevens, wondered who is proposing changes to Lakefront Residential zoning and where the financial benefit is; he objects to how this is being handled.

Dave Rowland, 1715 Vernon Road, Lake Stevens, agreed with earlier comments and does not support additional housing in the Waterfront Residential zone.

Janice Huxford, 625 South Lake Stevens Road, Lake Stevens, submitted written comments earlier and appreciated Council for looking into this.

Ashley Abolofia, 10321 East Davies Loop Road, Lake Stevens, agreed with earlier comments regarding the public process for considering changes to Waterfront Residential zoning; she believes the lake is the city's defining attribute and hopes this option can be explored with more intention.

Matt and Laura Hardy, 1117 Stitch Road, Lake Stevens, are concerned about impacts to the lake and property values if the interim Waterfront Residential zoning ordinance moves forward.

Larry Crawford, 10728 Vernon Road, Lake Stevens, submitted written comments, and said he is concerned about the City Council moving forward with changes to Waterfront Residential zoning without the input from the citizen committee. He believes more work needs to be done before changes such as this can be considered.

**Council Business:**

- Councilmember Daughtry: SCCIT, War Memorial, The Mill.
- Councilmember Petershagen: Sewer Utility Committee.

- Councilmember Frederick: Updated that Snohomish County COVID numbers are going down and thanked everyone for staying home.
- Councilmember Ewing: Commended Lake Stevens Police Department for their positive policing.
- Councilmember Tageant: Sewer District.

**Mayor's Business:** Agreed with Councilmember Ewing's comments commending the Lake Stevens Police Department and said they are truly professional; working with mayors from Arlington, Darrington, Marysville, Granite Falls, Stanwood, Monroe, Snohomish, Stanwood, and Sultan, on a letter to Executive Somers to look at the data points (3.3 cases per 100,000 population) for these cities and consider moving these cities to Phase II.

**City Department Report:**

- Community Development Director Russ Wright: Small Business Grant update with 52 applications and the review process to begin tomorrow; confirmation from Governor's office that fireworks sales will not be allowed until a later phase in the opening up of the economy; 123<sup>rd</sup> right of way application withdrawn by applicant.

**Consent Agenda:** Moved by Councilmember Daughtry, seconded by Councilmember Jorstad, to approve the Consent Agenda with the noted correction to the May 19, 2020 Workshop meeting minutes:

- A. 2020 Vouchers [Payroll Direct Deposits of \$231,507.46, Payroll Check Nos. 50393-50395 totaling \$3,892.79, Electronic Funds Transfers (ACH) of \$312,792.07, Claims Check Nos. 50385-50392, 50396-50483 totaling \$448,638.49, Total Vouchers Approved \$996,830.81];
- B. City Council Regular Meeting Minutes of May 12, 2020;
- C. City Council Special Meeting Minutes of May 19, 2020;
- D. City Council Workshop Meeting Minutes of May 19, 2020 with the noted correction;
- E. Ordinance 1088 Amending LSMC 2.29 and 3.38, Dissolving Arts Commission;
- F. Washington State Recreation & Conservation Office (RCO Grants):
  - 1) Resolution 2020-09 re Eagle Ridge Park
  - 2) Resolution 2020-10 re Frontier Heights Park
- G. Kompan Contract for Purchase and Installation of Playground Equipment at Frontier Heights Park;
- H. Resolution 2020-11 re Lake Stevens Community Small Business Grant;
- I. Interlocal Agreement with Lake Stevens Sewer District re Terms & Conditions for Utility Construction.

On roll call vote the motion carried (7-0-0-0).

**Public Hearing:**

**Ordinance 1084 re Interim Regulations for Temporary Permit Extensions:** Mayor Gailey opened the public hearing.

Community Development Director Russ Wright presented the staff report and said Ordinance 1084 was previously approved by Council on April 14, 2020. He reminded this ordinance

provides interim regulations for temporary permit extensions to provide safeguards for land use and building applications under review and permits and decisions that have been issued that have not been able to commence due to statewide COVID-19 restrictions. Director Wright said this is intended to help the building industry which has been hard hit by the COVID crisis and added the ordinance will sunset in six months unless additional action is taken by Council. Director Wright added so far, no requests for permit extensions have been received. Director Wright invited questions of Council and there were none.

Mayor Gailey opened the public comment portion of the hearing. There being no public comment, Mayor Gailey then closed the public comment portion of the hearing.

Mayor Gailey invited additional questions of Council, and there were none. Mayor Gailey then closed the public hearing.

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Frederick, to uphold Ordinance 1084 re Interim Regulations for Temporary Permit Extensions due to COVID-19. On roll call vote the motion carried (7-0-0-0).

**Ordinance 1089 re Temporary Signs:** Mayor Gailey opened the public hearing.

Director Wright presented the staff report and reviewed the history of this ordinance. He said that the ordinance is developed in response to a U.S. Supreme Court ruling in June 2015 in the case of *Reed v. Town of Gilbert* and following this court decision Lake Stevens developed interim sign code regulations for temporary signs. He noted several workshops on permanent regulations for temporary signs were held, and that model regulations from multiple jurisdictions were reviewed. The ordinance as written reflects Council's desires for preferred sizes, locations and specific rules applicable to public and private areas, as well as a clarification on overall sign area and height. Director Wright recommended adoption of Ordinance 1089.

Councilmember Daughtry thanked the staff and Council for their hard work and diligence in working on this ordinance.

Councilmember Petershagen agreed with Councilmember Daughtry's comments and encouraged the ordinance be adopted.

Mayor Gailey opened the hearing for public comment. There being no public comment, he then closed the public comment portion of the hearing.

Mayor Gailey invited additional questions of Council. There being no additional questions, Mayor Gailey closed the public hearing.

**MOTION:** Moved by Councilmember Petershagen, seconded by Councilmember Daughtry, to adopt Ordinance 1089 establishing regulations for temporary signs. On roll call vote the motion carried (7-0-0-0).

**Action Items:**

**Ordinance 1090 re Interim Mobile Food Vendor (Food Truck) Code:** Assistant Planner Jill Needham presented the staff report and said Council has discussed this topic a number of times. Staff was directed to prepare a mobile food vendor truck ordinance allowing for mobile food trucks outside of special event permits. She briefly reviewed changes made to the

ordinance since last discussed and since receiving comments from Councilmember Daughtry, including changes to definitions and licensing requirements, and distinguishing food vendor trucks from other vending vehicles such as ice cream trucks. Also added are health and sanitation requirements. Planner Needham reviewed the application requirements including vehicle license, property owner approval and disposal of waste. She noted vendors will be required to comply with Labor & Industry requirements. Planner Needham also reviewed requirements and restrictions for locating food vendor trucks in public rights of way and in different zones in the city. Because this is an interim ordinance the city fee will be \$150. Once a final ordinance is adopted the fee will be set out in the fees resolution. Planner Needham then reviewed Councilmember Daughtry's questions and staff's responses.

Looking at the business license Councilmember Daughtry asked about the city business license requirement. Discussion ensued as to why a business license is required when a state business license is required. Councilmember Daughtry commented that with the \$150 application fee together with the requirement for a business license, he is comfortable with the amount. He was not comfortable when the right of way permit was also required.

Turning to insurance requirements, Councilmember Daughtry said he believes liability insurance should be required. He then asked about the sign requirement being 10 square feet, and noted the Council just passed an ordinance for temporary signs that says 16 square feet. Director Wright clarified food vendor signs are commercial signs and the ordinance is for noncommercial signs.

Councilmember Tageant requested clarification regarding the business license and the \$2,000 threshold requiring a business license. Planner Needham responded this limitation is actually in the city's municipal code. Discussion ensued regarding the requirement for a business license. Clerk Pugh clarified the cost of the business license and noted the Department of Revenue set the threshold for requiring a business license at \$2,000 and the city adopted an ordinance based on that threshold. Director Wright suggested this can be explored as part of developing the final ordinance.

Councilmember Tageant asked if the limitation of food vendor trucks in city rights of way from 4:00 to 6:00 p.m. is for the purpose of traffic flow. Planner Needham responded this is correct and does not affect food vendor trucks in other locations. Director Wright added this is an effort to alleviate traffic backups and unintended problems such as vehicles looking for parking places. He said this can be looked at more in depth as permanent regulations are developed.

Councilmember Tageant asked where the 250-foot separation number came from; Planner Needham responded she suggested the number and it can be changed. Director Wright added this derives from previous councilmember comments looking for greater distance from brick and mortar businesses. Discussion ensued as to how the distance is calculated with Director Wright saying a line of sight along a linear block is how the calculation is made.

Councilmember Jorstad asked about limitations on food trucks selling similar food as to brick and mortar restaurants. Director Wright responded this was discussed but from a practical standpoint it is difficult to manage as restaurants change their menus quite often. Planner Needham added administratively this is difficult to enforce.

**MOTION:** Moved by Councilmember Daughtry, seconded by Councilmember Jorstad, to adopt Ordinance 1090 establishing interim regulations and fees for mobile food vendors. On roll call vote the motion carried (7-0-0-0).

**MOTION:** Moved by Councilmember Ewing, seconded by Councilmember Dickinson, to extend the meeting to 9:30 p.m. On vote the motion carried (7-0-0-0).

**Revised 2020 Long Range Work Program:** Director Wright presented the staff report and reviewed that due to staffing issues, budget constraints and public gathering restrictions related to COVID-19, staff proposes amending the long-range work program for the rest of 2020. He noted that several amendments underway at the beginning of the year have been or are near completion, including the zoning code update, infill housing, affordable housing tax incentives, FEMA update and the Temporary Sign code update. Director Wright reminded Council reviewed the proposed changes at the May 19<sup>th</sup> Workshop meeting and generally agreed with the revisions with one change of adding preparation of an interim ordinance for limited multifamily uses in the Waterfront Residential zone to help support economic recovery. He then invited questions of Council.

Councilmember Frederick said his request to add interim regulations regarding Waterfront Residential is not intended to forego public comment with an interim ordinance and noted the strong community interest in this topic. Councilmember Frederick recalled the earlier promise of community input and said it is important this happens.

Councilmember Ewing agreed with Councilmember Frederick's comments and said it would be disingenuous to not provide public input as promised and does not provide transparency in the process.

Councilmember Dickinson agreed and said citizens need to be part of this decision-making process.

Councilmember Jorstad agreed and said she is impressed with the number of citizens who have provided input on this topic.

Councilmember Tageant agreed and said it would be great to get a committee together and move forward now.

Councilmember Daughtry agreed with councilmembers' comments.

Councilmember Petershagen agreed and thanked Councilmember Frederick for clarifying his comments. He noted there is a huge interest in this process and said it is important to uphold the promise made to the citizens in December.

**MOTION:** Moved by Councilmember Petershagen, seconded by Councilmember Ewing, to adopt the long range work program with the following modifications: remove the Interim Ordinance proposed for 3<sup>rd</sup> Quarter 2020 and the language putting the full project on hold until 2021, and add initiating the land use advisory work group for Multifamily uses in WR to the work program in the third quarter of 2020.

Councilmember Jorstad asked if these changes will negatively affect staff workloads and how an advisory group would function under the current COVID restrictions. Director Wright responded a new planner will be coming on June 1 and that staff can utilize different strategies to work with an advisory group including remote meetings and utilizing mailers and surveys.

**VOTE:** On roll call vote the motion carried (7-0-0-0).

**Discussion Items:**

**Summer Events:** Parks Planning & Development Coordinator Jill Meis reviewed that in previous years the City has sponsored summer events including two Music in the Park, two Movies in the Park and two Theater in the Park events. This year with the COVID-19 restrictions staff is requesting direction from Council on how to proceed. Coordinator Meis said staff is exploring how to move forward with modified events and practices that will reflect new health precautions. Staff is suggesting paring the events down to one music, one movie and one theater event. She added that moving forward could hold some financial risk if it is necessary to make deposits and payments and events need to be cancelled. Coordinator Meis added there are currently two corporate sponsors with a total sponsorship of \$2,000. She requested direction from Council.

Director Wright added the goal is to continue to do the planning and hold the modified summer events, pending the phased reopening, with some associated financial risk.

Councilmember Daughtry supports this approach. He added he would like to push forward with a War Memorial dedication and service as soon as possible, at a time when the Legion is comfortable moving forward. He suggested July 4<sup>th</sup> for this dedication if possible.

Councilmember Tageant agrees with Councilmember Daughtry's comments regarding the War Memorial dedication and the proposal for summer events.

Council generally supported moving forward with modified events as proposed.

**Temporary Hazard Pay Policy:** Mayor Gailey reminded the previously adopted Temporary Hazard Pay Policy includes a provision for review every two weeks to determine if it is still needed. Mayor Gailey recalled the last time Council discussed this policy the recommendation was to continue until Phase III and requested input from Council.

Discussion ensued with Councilmember Ewing noted the COVID resources have been thoughtfully allocated and wondered how many months the city can sustain this policy. He wants to be sure first responders are getting what they need but also wants to be mindful of the budget impacts.

Mayor Gailey said of the funds received from the CARES Act, a portion was held back for future expenses; he believes the City will be okay.

Councilmember Frederick added it is important to take care of first responders. He noted people are growing restless and he thinks it is important to continue taking care of first responders.

Mayor Gailey agreed with Councilmember Fredericks comments, and said it is important to set first responders up for success.

**Public Comment:**

Sue Fernalld, 8430 15<sup>th</sup> Place SE, Lake Stevens, is concerned that as the Lake Task Force moves forward it is important to remember many seniors do not have access to technology; she requested the City make access available to those people.

Loydeen Chapman, 11519 North Lakeshore Drive, Lake Stevens, thanked the Council for moving forward with the task force for Waterfront Residential.

**Executive Session:** None.

**Adjourn:**

Moved by Councilmember Daughtry, seconded by Councilmember Jorstad, to adjourn the meeting at 9:15 p.m. On vote the motion carried (7-0-0-0).

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Brett Gailey, Mayor

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Kathy Pugh, City Clerk



LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda**

**Date:** June 9, 2020

**Subject:** Lifting Emergency Stay At Home Order

**Contact**

**Person/Department:** Mayor Brett Gailey **Budget Impact:** \$0

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Ratify the Lifting of the Emergency Stay at Home Order dated March 23, 2020.

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**SUMMARY/BACKGROUND:** On March 23, Mayor Gailey issued an Emergency Order for Lake Stevens residents and business owners to stay home and stay safe, in response to the COVID-19 crises. Residents and businesses of Lake Stevens and Snohomish County have responsibly worked to practice social distancing and other safety recommendations to meet Governor Inslee's the Washington State Health Department's requirements to move to Phase II. On June 1, 2020 Snohomish County applied to the State Health Department to move to Phase II of the Governor's Safe Start Plan. On June 5, 2020 the Washington State Department of Health notified Snohomish County that it was approved to move to Phase II. Accordingly, the attached Lifting of the Emergency Order Stay Home, Protect Public Health was issued. Council is asked to ratify this action.

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**APPLICABLE CITY POLICIES:**

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**BUDGET IMPACT:** \$

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**ATTACHMENTS:** Lifting of the Emergency Order Stay Home, Protect Public Health



**CITY OF LAKE STEVENS PRESS RELEASE  
FOR IMMEDIATE RELEASE JUNE 5, 2020**

**CITY OF LAKE STEVENS  
Office of the Mayor**

**LIFTING OF THE EMERGENCY ORDER  
STAY HOME, PROTECT PUBLIC HEALTH**

On March 23, 2020 Mayor Brett Gailey issued an order mandating Lake Stevens city residents, business owners, and others who work and recreate in the City of Lake Stevens stay home and limit their interactions with others in order to slow the spread of the novel coronavirus (COVID-19).

WHEREAS,

1. In my capacity as Mayor I proclaimed an emergency exists in the City of Lake Stevens on March 5, 2020.
2. The City Council ratified the proclamation of emergency on March 10, 2020; and
3. On March 23, 2020, in my capacity as Mayor, I issued an Emergency Order for Lake Stevens residents and visitors to stay home for the protection of public health; and
4. On March 24, 2020, I issued a subsequent Emergency Order clarifying the March 23, 2020 Order; and
5. The City of Lake Stevens has worked closely with Snohomish County Executive Dave Somers, Snohomish County elected officials representing neighboring jurisdictions and the Snohomish Health District to help Snohomish County position itself to move into Phase II of the State of Washington's Safe Start plan; and
6. Snohomish County applied to the State of Washington Department of Health to move into Phase II on Monday, June 1, 2020; and
7. The State of Washington Department of Health approved Snohomish County's application to move into Phase II on Friday, June 5, 2020

BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF LAKE STEVENS THAT:

I, BRETT GAILEY, MAYOR OF THE CITY OF LAKE STEVENS, HEREBY LIFT THE STAY AT HOME, STAY SAFE ORDER ISSUED ON MARCH 23, 2020.

I FURTHER ENCOURAGE THE RESIDENTS OF AND VISITORS TO THE CITY OF LAKE STEVENS TO CONTINUE PRACTICING SOCIAL DISTANCING AND OTHER RECOMMENDED SAFE HEALTH PRACTICES TO CONTINUE TO EFFECTIVELY REDUCE THE SPREAD OF COVID-19.

DATED this 5<sup>TH</sup> day of June 2020.



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Mayor Brett Gailey



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LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

Council Agenda Date: June 9, 2020

Subject: Ordinance 1091 Amendments to Floodplain Regulations (LUA2020-0062)

Contact Person/ Russ Wright, Planning & Community  
Department: Development

Budget Impact: None

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:**

1. Public Hearing and First and Final Reading for Ordinance 1091 related to the municipal code amendments for floodplain regulations (LUA2020-0062).
2. **Motion to approve Ordinance 1091:** An ordinance of the City of Lake Stevens, amending the Lake Stevens Municipal Code Chapter 14.08 Basic Definitions and Interpretations and Chapter 14.64 Special Flood Hazard Areas

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**SUMMARY:**

Public Hearing and First and Final Reading of Ordinance 1091 (**Attachment 1**) related to the municipal code amendments for floodplain regulations (LUA2020-0062).

**BACKGROUND/HISTORY:**

Periodically amendments are made to the city's flood hazard regulations based on recommendations from the Federal Emergency Management Agency (FEMA). The last update was completed in 2016. The proposed changes are not discretionary and must be completed by June 19, 2020 for the city to remain eligible for national flood insurance. Staff has issued a SEPA DNS and sent the proposed amendments out for agency review and comment. FEMA and Department of Ecology (DOE) have reviewed the draft code changes – comments have been integrated into the ordinance.

Staff briefed the Planning Commission on April 22, 2020. The Planning Commission held a public hearing on May 19, 2020 and found the proposed municipal code amendments to be consistent with LSCM 14.16C.075(f). The Planning Commission submitted a recommendation to the City Council with its findings and conclusions for approval. The City Council was briefed on May 12, 2020.

At its briefing, Councilmember Tageant asked for clarification on individual flood designations around the lake. FEMA identifies flood hazards and assesses flood risks through its flood hazard mapping program. Flood hazard mapping determines flood risks in individual communities as part of the National Flood Insurance Program. Lake Stevens is within FEMA Region 10. FEMA has designated Lake Stevens and portions of Catherine Creek as Special Flood Hazard Zone A (**Attachment 2**). Properties within Zone A, also referred to as 100-year flood zone, are considered to have a 1-percent chance of flooding in any given year. Flooding in Lake Stevens would occur when lake waters exceed the base flood elevation with the dike fully open.

The revised regulations within the ordinance show changes in edit mode – underlines are new information and strikethroughs are deletions. The following list summarizes proposed changes:

- Moved Floodplain definitions from Chapter 14.08 LSMC to LSMC 14.64.060 to eliminate confusion with general zoning definitions and added new definitions based on FEMA review to comply with the model ordinance.
- Updated Basis section and the date on the current Flood Insurance Study in LSMC 14.64.005 based on FEMA review;
- Added new subsections (d), (e) and (f) to LSMC 14.64.010 to provide mandatory language from model ordinance based on FEMA review;
- Proposed minor updates to LSMC 14.64.015 based on FEMA review to be consistent with the model ordinance;
- Included minor updates to LSMC 14.64.020 including new subsections (i) and (j) based on FEMA review to be consistent with the model ordinance;
- Proposed minor updates to LSMC 14.64.045 including new subsection (g) based on FEMA review to be consistent with the model ordinance; and
- Included minor updates to LSMC 14.64.050 based on FEMA review to be consistent with the model ordinance – specifically substituting “subdivision” to “development”; and
- Added new section LSMC 14.64.503 Variances.

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**APPLICABLE CITY POLICIES:** Chapters 14.08 and 14.64 of the Lake Stevens Municipal Code

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**BUDGET IMPACT:** There is not a budget impact.

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**EXHIBITS (attached):**

Attachment 1 – Ordinance 1091

Attachment 2 – Special Flood Hazard Area Map

ATTACHMENT 1

**CITY OF LAKE STEVENS  
LAKE STEVENS, WASHINGTON**

**ORDINANCE NO. 1091**

**AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON  
AMENDING LAKE STEVENS MUNICIPAL CODE SECTION 14.08.010  
DEFINITIONS OF BASIC TERMS; AMENDING CHAPTER 14.64 SPECIAL  
FLOOD HAZARD AREAS; PROVIDING FOR SEVERABILITY, SUMMARY  
PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, in 2016, the City of Lake Stevens updated its Flood Hazard Regulations for compliance with the FEMA model ordinance and consistency with the Endangered Species Act (ESA) through the adoption of Ordinance 964; and

**WHEREAS**, to remain eligible for national flood insurance, the city must adopt updated flood hazard regulations, consistent with the FEMA model regulations, no later than June 19, 2020; and

**WHEREAS**, the City of Lake Stevens SEPA Responsible Official issued a Determination of Non-significance (DNS) for the proposed code amendments on April 20, 2020; and

**WHEREAS**, the Department of Commerce granted expedited review of the proposed amendment on May 4, 2020; and

**WHEREAS**, the Lake Stevens Planning Commission conducted a duly noticed open-record public hearing on May 19, 2020 to consider the proposed code amendments; and

**WHEREAS**, the Lake Stevens Planning Commission has provided the City Council with a recommendation of approval for the proposed amendments; and

**WHEREAS**, the City Council reviewed and considered the Planning Commission's findings, conclusions, and recommendation at a duly noticed public hearing on June 9, 2020; and

**WHEREAS**, the City finds that the proposed code amendments are consistent with the decision criteria found in LSMC 14.16C.075 (f);

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE STEVENS DOES  
HEREBY ORDAIN AS FOLLOWS:**

**Section 1.** Findings. The City Council hereby adopts the recitals expressed above as findings in support of this ordinance and adopts the Findings and Conclusions recommended by the Lake Stevens Planning Commission attached hereto as **Exhibit A**, in support of said amendment.

**Section 2.** LSMC Section 14.08.010 is hereby amended by the deletion of the following definitions - all other provisions of Section 14.08.010 remain in effect and unchanged:

**14.08.010 Definitions of Basic Terms.**

~~Appeal (definition related to flood permits only). A request for a review of the interpretation of any provision of this title or a request for a variance.~~

~~Base Flood~~. The flood having a one percent chance of being equaled or exceeded in any given year (also referred to as the “100 year flood”). The area subject to the base flood is the special flood hazard area designated on Flood Insurance Rate Maps as Zones “A” or “V” including AE, AO, AH, A1-99 and VE.

~~Base Flood Elevation (BFE)~~. The elevation of the base flood above the datum of the effective FIRM to which floodwater is anticipated to rise during the base flood.

~~Basement~~. Any area of a building having its floor below ground level (subgrade) on all sides in relationship to Chapter 14.64 and Chapter 14.88, Part V.

~~Channel Migration Area~~. The area within the lateral extent of likely stream channel movement due to stream bank destabilization and erosion, rapid stream incision, aggradations, avulsions, and shifts in location of stream channels locally characterized to include the outer limits of the special flood hazard area.

~~Critical Facility~~. A facility necessary to protect the public health, safety and welfare during a flood. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire and emergency operations installations, water and wastewater treatment plants, electric power stations, and installations which produce, use, or store hazardous materials or hazardous waste (other than consumer products containing hazardous substances or hazardous waste intended for household use) in relationship to Chapter 14.64 and Chapter 14.88, Part V.

~~Development~~ (definition related to flood permits only). Any manmade change to improved or unimproved real estate in the regulatory floodplain, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, storage of equipment or materials, subdivision of land, removal of more than five percent of the native vegetation on the property, or alteration of natural site characteristics in relationship to Chapter 14.64 and Chapter 14.88, Part V.

~~Elevation Certificate~~. The official form (Form 81-31) used by FEMA to provide elevation information necessary to determine the proper flood insurance premium rate.

~~FEMA~~. The Federal Emergency Management Agency, the agency responsible for administering the National Flood Insurance Program.

~~Flood Fringe~~. The portion of the floodplain lying outside of the floodway.

~~Flood Insurance Rate Map (FIRM)~~. The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

~~Flood Insurance Study~~. The official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map, and the water surface elevation of the base flood.

~~Flood or Flooding~~. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, and/or the unusual and rapid accumulation of runoff of surface waters from any source.

~~Flood Protection Elevation (FPE)~~. The base flood elevation plus one foot.

~~Flood Zones~~. Geographic areas that the FEMA has defined according to varying levels of flood risk. These zones, as depicted on the City’s Flood Insurance Rate Map (FIRM), reflect the severity or type of flooding in the area.

~~Floodplain~~. See Regulatory Floodplain.

~~Floodway~~. The channel of a stream or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than

one foot at any point. As used in this title, the term refers to that area designated as a floodway on the Flood Insurance Rate Map prepared by the U.S. Federal Emergency Management Agency, a copy of which is on file in the Planning and Community Development Department.

~~Frequently Flooded Areas.~~ Lands indicated on the most current FEMA map to be within the 100 year floodplain. These areas include, but are not limited to, streams, lakes, coastal areas, and wetlands.

~~Lowest Floor.~~ The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements per Chapter 14.64 (Special Flood Hazard Areas).

~~Mitigation~~ (definition related to flood permits only). An action taken to reduce or eliminate the risk of a hazard such as flooding; mitigation actions attempt to prevent flood hazards from developing into disasters, or to reduce the effects of flooding when it occurs in relationship to Chapter 14.64 and Chapter 14.88, Part V.

~~Moderate to Low Risk Areas or Non Special Flood Hazard Area.~~ Lands outside the one percent special flood hazard areas where the risk of being flooded is reduced, but not completely removed. FIRM maps designate non special flood hazard areas with the letter B, C or X (or a shaded X).

~~Natural Floodplain Functions.~~ The contribution that a floodplain makes to support habitat, including, but not limited to, providing flood storage and conveyance, reducing flood velocities, reducing sedimentation, filtering nutrients and impurities from runoff, processing organic wastes, moderating temperature fluctuations, and providing breeding and feeding grounds, shelter, and refugia for aquatic or riparian species.

~~Protected Area~~ (definition related to flood permits only). The lands that lie within the boundaries of the floodway, the riparian habitat zone, and the channel migration area. Because of the impact that development can have on flood heights and velocities and habitat, special rules apply in the protected area in relationship to Chapter 14.64 and Chapter 14.88, Part V.

~~Regulatory Floodplain.~~ The regulatory floodplain is comprised of the special flood hazard area and all protected areas within the jurisdiction.

~~Special Flood Hazard Area (SFHA).~~ Land subject to inundation by the base flood having a one percent chance of being equaled or exceeded in any given year. FIRM maps designate special flood hazard areas as Zone A, Zone AO, Zone AH, Zones A1 A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1 A30, Zone AR/A, Zone V, Zone VE, and Zones V1 V30.

~~Structure~~ (definition related to flood permits only). A walled and roofed building including a gas or liquid storage tank that is principally above ground in relationship to Chapter 14.64 and Chapter 14.88, Part V.

~~Substantial Damage.~~ Damage of any origin sustained by a structure whereby the cost of restoring the structure to its predamaged condition would equal or exceed 50 percent of the assessed market value of the structure before the damage occurred. "Substantial damage" also means flood related damage sustained by a structure on two separate occasions during a 10 year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the assessed market value of the structure before the damage occurred in relationship to Chapter 14.64 and Chapter 14.88, Part V.

~~Substantial Improvement~~ (definition related to flood permits only). Means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

(a) ~~Before the improvement or repair is started; or~~

(b) ~~If the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.~~

~~The term can exclude:~~

(a) ~~Any project for improvement of a structure to correct preexisting violations of State or local health, sanitary, or safety code specifications which have previously been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or~~

(b) ~~Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.~~

~~Undetermined Risk Areas. Land where no flood hazard analysis has been conducted, but a flood risk still exists. FIRM maps designate these areas with the letter D on the flood maps.~~

**Section 3.** Chapter 14.64, is hereby amended to read follows as depicted in Exhibit B:

**Section 4.** Transmittal to Department of Commerce. Pursuant to RCW 36.70A.106, this ordinance shall be transmitted to the Washington State Department of Commerce.

**Section 5.** Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

**Section 6.** Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five days after the date of publication.

**PASSED** by the City Council of the City of Lake Stevens this 9th day of June 2020.

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Brett Gailey, Mayor

ATTEST/AUTHENTICATION:

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Kathy Pugh, City Clerk

APPROVED AS TO FORM:

First & Final Reading: June 9, 2020

Date of Publication: \_\_\_\_\_

Effective Date: \_\_\_\_\_

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Greg Rubstello, City Attorney

EXHIBIT A



**Planning & Community Development**  
1812 Main Street  
P.O. Box 257  
Lake Stevens, WA 98258

May 19, 2020

Lake Stevens City Council  
1812 Main Street  
Lake Stevens, WA 98258

**Subject: Planning Commission Recommendation – Flood Hazard Regulations**

Dear Council Members:

The Lake Stevens Planning Commission was briefed on proposed changes to the city's flood hazard regulations and held a public hearing to consider a code amendment on May 19, 2020. The Planning Commission forwarded a recommendation to City Council to approve the code amendment following the hearing, review of testimony and deliberation.

**Commissioners Present:** Chair Davis and Commissioners Cronin, Durer, Hoult, Huxford, Oslund and Welch.

**Commissioners Absent:** None

**PLANNING COMMISSION PUBLIC HEARING**

The Lake Stevens Planning Commission held a public hearing on May 19, 2020, to consider proposed amendments to the Lake Stevens Municipal Code pertaining to the city's existing flood hazard regulations. The proposed changes incorporate the recommendations from a Federal Emergency Management Agency (FEMA) review for consistency with the Model Ordinance. No public comments were made.

**FINDINGS AND CONCLUSIONS:**

The Planning Commission hereby adopts staff's findings and conclusions as outlined in this letter and concludes that the proposed amendments comply with the following:

**FINDINGS AND CONCLUSIONS:**

**1. *Compliance with selected Land Use Goals of the Comprehensive Plan***

- Land Use Goal 4.1, Policy 4.1.1 – The city will continue to prioritize the protection of wetlands, streams and creeks, lakes and ponds, aquifer recharge areas, geologically hazardous areas (e.g., steep slopes and erosion areas), significant trees, fish and wildlife habitat areas and corridors, cultural resources, and frequently flooded areas through land use policies, regulations and decisions based on best available information and in coordination with state and regional priorities.

- Land Use Goal 4.1, Policy 4.1.15 – Encourage and support the retention of natural open spaces or land uses which maintain hydrologic function and are at low risk to property damage from floodwaters within frequently flooded areas.
- Environment and Natural Resource Goal 4.3, Policy 4.3.2 – Ensure compatibility of land uses with topography, geology, soil suitability, surface water, ground water, frequently flooded areas, wetlands, climate and vegetation and wildlife.
- Environment and Natural Resource Goal 4.3, Policy 4.3.4 – Permit development, fill, or encroachments in floodways, frequently flooded areas, highly erodible areas and other critical areas using Best Management Practices (BMP's) and Best Available Science (BAS).
- Environment and Natural Resource Goal 4.3, Policy 4.3.7 – Support the restoration of degraded shorelines and other critical areas to help minimize erosion, sedimentation and flooding.
- Environment and Natural Resource Goal 4.3, Policy 4.3.8 – Protect natural drainage systems and courses associated with floodways, floodplains, or other areas subject to flooding.

**Conclusions – The proposed code amendments are consistent with several Land Use and Environment and Natural Resource goals.**

**2. *Compliance with the State Environmental Policy Act (SEPA) (Chapter 97-11 WAC and Title 16 LSMC)***

- Staff prepared an environmental checklist for the proposed code revisions, dated March 23, 2020.
- The SEPA official issued a Determination of Non-significance on April 20, 2020.
- The city received comments from FEMA and DOE – these changes have been integrated into the proposed revisions.

**Conclusions – The proposed code amendments have met local and state SEPA requirements.**

**3. *Compliance with the Growth Management Act (RCW 36.70A.106)***

- The city requested expedited review from the Department of Commerce on April 17, 2020.
- The Department of Commerce granted Expedited Review on April 4, 2020.
- Staff will file the final ordinance with the Department of Commerce within 10 days of City Council action.

**Conclusions – The proposed code amendments have met Growth Management Act requirements.**

**4. *Public Notice and Comments (Exhibit 5)***

- The city published a notice of SEPA determination in the Everett Herald, city website and city bulletin board on or around April 20, 2020.
- The city published a notice of Public Hearing in the Everett Herald city website and city bulletin board per Chapters 14.16A and 14.16B LSMC.

**Conclusions – The City has met public notice requirements per Chapter 14.16B LSMC.**

**PLANNING COMMISSION RECOMMENDATION**

**Flood Hazard Amendments:** The Planning Commission unanimously recommended approval of the updated flood hazard regulations for City Council action.

## Chapter 14.64 SPECIAL FLOOD HAZARD AREAS

### Sections:

- 14.64.005 Basis for Establishing Special Flood Hazard Areas
- 14.64.010 Application of Regulations
- 14.64.015 Authority and Duties of the Floodplain Administrator
- 14.64.020 Administrative Procedures
- 14.64.025 Conformance with Chapter 14.88 (Critical Areas), Chapter 14.92 (Shoreline Management), Section 14.16C.100 (Shoreline Permits), and the Shoreline Master Program
- 14.64.030 Exemptions and Allowed Activities
- 14.64.035 Other Activities
- 14.64.040 Development Standards
- 14.64.045 Construction Standards for Protection of Structures
- 14.64.050 Special Provisions for Subdivisions Development
- 14.64.053 Variances
- 14.64.055 Standards for Habitat Protection
- 14.64.060 Definitions

### **14.64.005 Basis for Establishing Special Flood Hazard Areas.**

The City hereby adopts by reference the special flood hazard areas identified by the Federal Emergency Management Agency (FEMA) Insurance Administrator in its most current scientific and engineering report titled "The Flood Insurance Study (FIS) for Snohomish County, Washington, and incorporated Areas" dated November 8, 1999June 19, 2020, and any revisions thereto, with the current accompanying Flood Insurance Rate Maps (FIRM), and any revisions thereto, and declare the same to be a part of the Lake Stevens Municipal Code. The ~~Flood Insurance Study~~FIS and FIRM are~~is~~ on file in the Planning and Community Development Department.

### **14.64.010 Application of Regulations.**

- (a) All development in the regulatory floodplain, within the City of Lake Stevens, comprised of the special flood hazard area and all protected areas (i.e., lands within the boundaries of the floodway, the riparian habitat zone, and the channel migration area locally defined and mapped) shall comply with the terms of this chapter and other applicable local, state, and federal regulations including, but not limited to, obtaining necessary permits and approvals.
- (b) The degree of flood protection required is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by human-made or natural causes. This does not imply that land outside the special flood hazard areas or uses permitted within such areas will be free from flooding or flood damages. There shall be no liability on the part of the City of Lake Stevens, any officer or employee thereof, or FEMA, for any flood damages that result from reliance on this code or any administrative decision lawfully made hereunder.
- (c) Under the provisions of this chapter, the City will allow an applicant to request permit specific review as consistent with National Flood Insurance Program regulation contained in 44 CFR 60.3(a)(2) to

assess development impacts to floodplain and associated habitat functions and any requested deviations pursuant to the submission of a habitat impact assessment per Section 14.64.055(c) and, if necessary, a habitat mitigation plan per Section 14.64.055(d). Under a permit specific review, the development proposal must otherwise follow the defined administrative review procedures and regulations of this chapter.

- (d) This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- (e) No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violations of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions), shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall be subject to the provisions of Chapter 17.20 LSMC including but not limited to civil enforcement procedures and penalties.
- (f) This ordinance and the various parts thereof are hereby declared to be severable. Should any Section of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the Section so declared to be unconstitutional or invalid.

#### **14.64.015 Authority and Duties of the Floodplain Administrator.**

- (a) The Floodplain Administrator shall be the Planning and Community Development Director, or the Director's designee, appointed to administer and implementadminister, implement and enforce this chapter by granting or denying floodplain development permits in accordance with its provisions.
- (b) Upon receipt of a floodplain development application, the Floodplain Administrator shall compare the project's site elevation to the base flood elevation. A development project is not subject to the requirements of this chapter if it is located on land outside the protected area and higher than the base flood elevation.
- (c) The Floodplain Administrator shall determine, where needed, the exact location of the boundaries of the regulatory floodplain, the special flood hazard area, and the protected area when there appears to be a conflict between the mapped special flood hazard area boundary and actual field conditions, as determined by the base flood elevation and ground elevations per the criteria found in Section 14.88.510. The applicant may appeal an administrative interpretation of the boundary location to the hearing examiner in accordance with Section 14.16A.265.
- (d) Where the adopted FIS or FIRM map does not include base flood elevation and floodway data for special flood hazard areas, the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from federal, state, and/or other sources.
- (e) The Floodplain Administrator shall obtain and maintain, for public inspection, all records pertaining to the provisions of this chapter and submit such reports as required for the National Flood Insurance Program.

**14.64.020 Administrative Procedures.**

- (a) The City shall require a floodplain development permit before construction and/or development begins within the regulatory floodplain.
- (b) The City shall review all development permits to determine that all necessary permits have been obtained from those Federal, State, or local governmental agencies from which prior approval is required, provided, the primary responsibility to identify and obtain required permits shall remain with the developer, and the City shall have no liability to the developer should it fail to identify any other permit that is determined to be required by the agency administering such permit.

(c) [Proposed elevation in relation to mean sea level, of the lowest floor \(including basement\) of all structures](#)

(de) For all new or substantially improved floodproofed nonresidential structures where base flood elevation data are provided through the FIS, FIRM, or as required in Section 14.64.015(d):

- (1) Obtain and record the proposed elevation (in relation to mean sea level) to which the structure was/will be floodproofed;
- (2) Where a structure is to be floodproofed, certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet floodproofing criteria in Maintain the floodproofing certifications required in Section 14.64.045(c).

(e) [Description of the extent to which a watercourse will be altered or relocated as a result of proposed development](#)

(fe) Where elevation data is not available either through the Flood Insurance Study, FIRM, or from another authoritative source per LSMC 14.64.015(d), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above the highest adjacent grade in these zones may result in higher insurance rates.

(e) Applicants shall submit a floodplain development permit, on forms furnished by the City, and shall submit one or more site plans, drawn to scale, including, but not limited to, the following:

- (1) The nature, location, dimensions, and elevations of the property in question;
- (2) Names and locations of all lakes, water bodies, waterways and drainage facilities within 300 feet of the site;
- (3) The elevations of the 10-, 50-, 100-, and 500-year floods, where the data are available;
- (4) The boundaries of the regulatory floodplain, special flood hazard area, floodway, riparian habitat zone, and channel migration area, as appropriate;
- (5) The proposed drainage system including, but not limited to, storm sewers, overland flow paths, detention facilities and roads;
- (6) Existing and proposed structures, fill, pavement and other impervious surfaces, and sites for storage of materials;
- (7) Critical areas per Chapter 14.88; and
- (8) Existing native vegetation and proposed revegetation.

- (f) The applicant must record a notice on title that the property contains land within the regulatory floodplain including special flood hazard areas and protected areas, as applicable, before the City issues the floodplain development permit.
- (g) The City shall notify adjacent communities and the Department of Ecology prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administrator.
- (h) The City shall assure that the flood carrying capacity of the altered or relocated portion of said watercourse is maintained.~~require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.~~
- (i) Base Flood Elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, the Floodplain Administrator shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Volume 44 Code of Federal Regulations Section 65.3. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements will be based upon current data.
- (j) Notify the Federal Insurance Administrator in writing of acquisition by means of annexation, incorporation or otherwise, of additional areas of jurisdiction.

**14.64.025 Conformance with Chapter 14.88 (Critical Areas), Chapter 14.92 (Shoreline Management), Section 14.16C.100 (Shoreline Permits), and the Shoreline Master Program.**

Uses permitted within regulatory floodplain must also be consistent with Chapter 14.88, Chapter 14.92, Section 14.16C.100 and the Shoreline Master Program. Wherever regulations conflict in these chapters, the more restrictive provisions shall prevail. The intent of this section is to prevent development that is inconsistent with Chapter 14.88, Chapter 14.92, Section 14.16C.100 and the Shoreline Master Program even though it may seem permissible according to the regulations of this chapter.

**14.64.030 Exemptions and Allowed Activities.**

- (a) Nondevelopment-Exempt Activities. ~~The following activities Activities in the regulatory floodplain that do not meet the definition of "development" are exempt activities and do not require a floodplain development permit if the activity meets all other federal, state, and local requirements.:~~ ~~The following are examples of activities not considered development:~~
  - (1) Routine maintenance of landscaping that does not involve grading, excavation, and/or filling;
  - (2) Removal of noxious weeds and hazard trees and replacement of nonnative vegetation with native vegetation;
  - (3) Normal maintenance of structures, such as reroofing and replacing siding, provided such work does not qualify as a substantial improvement;
  - (4) Normal maintenance of above ground utilities and facilities, such as replacing downed power lines and utility poles;
  - (5) Normal maintenance of streets and roads including filling potholes, repaving, and/or installing signs and traffic signals, but not including expansion of paved areas;

- (6) Normal maintenance of a levee or other flood control facility prescribed in the operations and maintenance plan for the levee or flood control facility. Normal maintenance does not include repair from flood damage, expansion of the prism, expansion of the face or toe or addition for protection on the face or toe with rock armor; and
- (7) Plowing and other normal farm practices (other than structures or filling) on farms in the regulatory floodplain and in existence as of the effective date of the ordinance establishing this chapter do not require a floodplain development permit. Clearing additional land for agriculture after the effective date of Ordinance No. 860 shall require a floodplain development permit.

(b) Activities Allowed with a Floodplain Development Permit. The City will allow the activities listed below in the regulatory floodplain, without a habitat impact assessment per Section 14.64.055(c), when the activity meets all other requirements of this chapter:

- (1) Repairing and/or remodeling existing structures if the repairs and/or remodels are not a substantial improvement or a repair of substantial damage;
- (2) Maintenance and/or repair of shoreline stabilization structures pursuant to the Shoreline Master Program that does not involve grading, excavation and/or filling;
- (3) Maintenance, repair, remodel and/or new over-water structures pursuant to the Shoreline Master Program that does not involve grading, excavation and/or filling;
- (4) Expansion of existing structures when the expansion does not increase the existing footprint more than 10 percent. The expansion measurement is counted cumulatively from the effective date of Ordinance No. 860. If the structure is in the floodway, there shall be no change in the dimensions dimensions of the structure. perpendicular to flow;
- (5) Activities with the sole purpose of creating, restoring and/or enhancing natural functions associated with floodplains, streams, lakes, estuaries, marine areas, habitat, and riparian areas that meet federal and state standards, if the activities do not include the creation of structures and/or impervious surfaces;
- (6) Development of open space and recreational facilities, such as parks, trails, and hunting grounds, that do not include fill, the creation of structures and/or impervious surfaces, and/or removal of more than five percent of the native vegetation on that portion of the property in the regulatory floodplain; and
- (7) Maintenance and/or repair to on-site septic systems provided the ground disturbance is the minimum necessary to carry out the maintenance and/or repair.

#### **14.64.035 Other Activities.**

All other activities not listed in Sections 14.64.030(a) and (b) that are allowed by Chapter 14.44 are allowed, provided they meet all the other requirements of this chapter, including providing a habitat impact assessment pursuant to Section 14.64.055(c) and obtaining a floodplain development permit prior to the activity.

#### **14.64.040 Development Standards.**

- (a) Structures, impervious surfaces, and other development shall be located to avoid flood damage.

- (1) If a lot has a buildable site out of the regulatory floodplain, when possible, all new structures, impervious surfaces, and other development shall be located in that area.
- (2) If a lot does not have a buildable site out of the regulatory floodplain, all new structures, impervious surfaces, and other development must be sited in the location that has the least impact on habitat by locating the structures, impervious surfaces, and other development as far from the water body as possible and/or placing the structures, impervious surfaces, and other development on the highest land on the lot.
- (3) If the proposed project cannot meet the criteria of subsection (a)(1) or (2) of this section, a habitat impact assessment shall be conducted pursuant to Section 14.64.055(c) and, if necessary, a habitat mitigation plan shall be prepared and implemented pursuant to Section 14.64.055(d), prior to locating structures, impervious surfaces, and other development within the regulatory floodplain.

(b) Applicants shall design and locate all new structures, impervious surfaces, and other development to minimize the impact on flood flows, flood storage, water quality, and habitat.

- (1) To the extent feasible, stormwater and drainage features shall incorporate low impact development techniques that mimic predevelopment hydrologic conditions, such as stormwater infiltration, rain gardens, grass swales, filter strips, disconnected impervious areas, permeable pavement, and vegetative roof systems, pursuant to Chapter 11.06.
- (2) If a project proposes to create new impervious surfaces on more than 10 percent of that portion of the lot in the regulatory floodplain, the applicant shall demonstrate that there will be no net increase in the rate and volume of the stormwater surface runoff leaving the site or mitigate the adverse impacts, pursuant to Chapter 11.06.

(c) Hazardous Materials. New development shall not create a threat to public health, public safety, and/or water quality. Chemicals, explosives, gasoline, propane, buoyant materials, animal wastes, fertilizers, flammable liquids, pollutants, and other materials that are hazardous, toxic, or a threat to water quality are prohibited from the regulatory floodplain. This prohibition does not apply to small quantities of these materials kept for normal household use, or to the continued operations of existing facilities and structures, reuse of existing facilities and structures, or functionally dependent facilities or structures.

- (1) If the proposed development cannot meet the criteria of subsection (c) of this section, the applicant must provide a habitat impact assessment pursuant to Section 14.64.055(c) prior to any approval of the proposed development.

(d) Critical Facilities.

- (1) To the extent possible, construction of new critical facilities shall be located outside the limits of the regulatory floodplain.
- (2) Construction of new critical facilities in the regulatory floodplain shall be permissible if no feasible alternative site is available, provided:
  - (i) Critical facilities shall have the lowest floor elevated three feet above the base flood elevation or to the height of the 500-year flood, whichever is higher. If there is no available data on the 500-year flood, the permit applicants shall develop the needed data in accordance with FEMA mapping guidelines.
  - (ii) Access to and from the critical facility shall be protected to the elevation of the 500-year flood.

**14.64.045 Construction Standards for Protection of Structures.**

The provisions of this section shall apply in the special flood hazard area. All new structures and substantial improvements shall be protected from flood damage below the flood protection elevation.

(a) Applicability. The protection requirements of this section apply to all new structures and substantial improvements, which include:

- (1) Construction or placement of a new structure, including over-water structures and shoreline stabilization;
- (2) Reconstruction, rehabilitation, and/or other improvement that will result in a substantially improved structure, including over-water structures and shoreline stabilization;
- (3) Repairs to an existing structure that has been substantially damaged;
- (4) Placing a manufactured home on a site; and
- (5) Placing a recreational vehicle or travel trailer on a site for more than 180 days.

(b) Flood Protection Standards.

- (1) All new structures and substantial improvements shall have the lowest floor including basements elevated at least one foot above the flood protection elevation. Upon completion of the structure, certification by a registered professional surveyor that the elevation requirements of the lowest floor, including basement, of this section have been satisfied shall be provided to the Floodplain Administrator for verification.
- (2) Where practicable, new structures shall align parallel with the direction of flood flows.
- (3) To prevent flotation, collapse, and/or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, all new structures shall provide anchoring.
- (4) All materials below the flood protection elevation shall be resistant to flood damage; provided, however, that materials harmful to aquatic wildlife, such as creosote, are prohibited below the flood protection elevation.
- (5) Electrical, heating, ventilation, ductwork, plumbing, and air-conditioning equipment and other service facilities shall be elevated above the flood protection elevation. Water, sewage, electrical, and other utility lines below the flood protection elevation shall be constructed so as to prevent water from entering or accumulating within them during conditions of flooding.
- (6) Fully enclosed areas below the lowest floor that are subject to flooding shall be used only for parking, storage, and/or building access and shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement shall either be certified by a registered professional engineer or licensed architect and or meet or exceed the following minimum criteria:
  - (i) Fully enclosed areas shall provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.
  - (ii) The bottom of all openings shall be no higher than one foot above grade.

- (iii) Openings may be equipped with screens, louvers, or other coverings or devices; provided, that they permit the automatic entry and exit of floodwaters.
- (c) Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall be elevated in accordance with subsection (b) of this section. As an alternative to elevation, a new or substantial improvement to a commercial, industrial, or other nonresidential structure and its attendant utility and sanitary facilities may be dry flood-proofed if the following criteria are met:
  - (1) The structure is below the flood protection elevation and the structure is watertight with walls substantially impermeable to the passage of water;
  - (2) The structural components are capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
  - (3) A registered professional engineer or licensed architect certifies that the design and methods of construction conform to accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. The applicant shall provide such certifications with their floodplain development application.
  - (4) Upon completion of the structure, certification by a registered professional surveyor that the elevation requirements of the lowest floor, including basement, of this section have been satisfied shall be provided to the Floodplain Administrator for verification; or certification by a registered professional engineer or architect that the floodproofing design of this section is satisfied, including the specific elevation in relation to mean sea level to which such structures are floodproofed, shall be provided to the Floodplain Administrator for verification.
- (d) Manufactured Homes. The placing of all manufactured homes or substantial improvements to existing manufactured homes on sites shall be:
  - (1) Elevated on a permanent foundation in accordance with subsection (b) of this section; and
  - (2) Securely anchored to a foundation/foundation system to resist flotation, collapse and lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to other applicable anchoring requirements for resisting wind forces.
  - (3) Upon completion of installation of the manufactured home, certification by a registered professional surveyor that the elevation requirements of this section have been satisfied shall be provided to the Floodplain Administrator for verification.
- (e) Recreational Vehicles. Recreational vehicles placed on sites shall:
  - (1) Be on the site for fewer than 180 consecutive days; or
  - (2) Be fully licensed and ready for highway use, on their wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; and or
  - (3) Meet the requirements of subsection (d) of this section.

(f) Appurtenant Structures. A structure on the same parcel as the principal structure, when the use is incidental to the use of the principal structure and is not used for human habitation, may be exempt from the elevation requirement of subsection (b) of this section, provided:

- (1) It is used only for parking or storage;
- (2) It is constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters;
- (3) It is anchored to prevent flotation which may result in damage to other structures;
- (4) All portions of the structure below the flood protection elevation must be constructed of flood-resistant materials;
- (5) Service utilities such as electrical and heating equipment meet the standards of subsections (b) and (g) of this section;
- (6) It has openings to allow free flowage of water that meet the criteria in subsection (b)(6) of this section; and
- (7) The project meets all the other requirements of this chapter.

(8) Upon completion of the structure, certification that the requirements of this section have been satisfied shall be provided to the Floodplain Administrator for verification.

(g) Construction of Below-Grade Crawlspace \*\*

- (1) The interior grade of a crawlspace must not be more than two (2) feet below the exterior lowest adjacent grade (LAG).
- (2) The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall, must not exceed four (4) feet at any point.
- (3) There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event.
- (4) The velocity of floodwaters at the site should not exceed five (5) feet per second for any crawlspace.

\*\* See FEMA Technical Bulletin 11 for further information.

(h) Utilities.

- (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems;
- (2) Water wells shall be located outside the floodway and shall be protected to the flood protection elevation;
- (3) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- (4) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding. As a condition of approval for an on-site waste disposal system within the regulatory floodplain, the applicant must prepare and provide a habitat impact assessment in accordance with Section 14.64.055(c).

**14.64.050 Special Provisions for SubdivisionsDevelopment Proposals.**

- (a) This section applies to all subdivision-development proposals including but not limited to subdivisions, manufactured home parks, subdivisions, short subdivisions, planned developments, and binding site plans per Chapter 14.18 LSMC.
- (b) All proposals shall be consistent with the need to minimize flood damage.
- (c) All proposals shall have utilities and facilities, such as sewer, gas, electrical, and water systems, located and constructed to minimize or eliminate flood damage.
- (d) All proposals shall provide adequate drainage to reduce exposure to flood damage.
- (e) Wherever possible, all proposals shall provide at least one access road connected to land outside the regulatory floodplain with the surface of the road at or above the flood protection elevation.
- (f) Where base flood elevation data has not been provided or is not available from another authorized source, it shall be generated for subdivision-development proposals and other proposed developments which contain at least greater than 50 lots or five acres (whichever is the lesser).
- (g) The final recorded plat, short plat, or binding site plan shall include a note that a portion of the property contains land within the regulatory floodplain including special flood hazard areas and protected areas, as applicable.

**14.64.053 Variances**

**(a) Variances shall only be issued:**

- (1) Upon a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances;
- (2) For the repair, rehabilitation or restoration of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure; \*\*
- (3) Upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief;
- (4) Upon a showing of good and sufficient cause;
- (5) Upon a determination that failure to grant the variance would result in exceptional hardship to the applicant;
- (6) Upon a showing that the use cannot perform its intended purpose unless it is located or carried out in close proximity to water. This includes only facilities defined in LSMC 14.64.060 of this ordinance in the definition of "Functionally Dependent Use."

\*\* Per FEMA P-467-2 (May 2008) Floodplain Management Bulletin Historic Structures and FEMA P-993 (July 2014) Floodplain Management Bulletin Variances and the National Flood Insurance Program, communities have the option of using either the Substantial Improvement Definition exclusion or the Variance criteria per 44CFR 60.6(a) to regulate Historic Structures.

- (b) Variances shall not be issued within any floodway if any increase in flood levels during the base flood discharge would result.
- (c) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the Base Flood Elevation, provided the procedures found in sections LSMC 14.64.020 and LSMC 14.64.040 through 14.64.050 of this ordinance have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.
- (d) In considering variance applications, the Hearing Examiner shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:

  - (1) The danger that materials may be swept onto other lands to the injury of others;
  - (2) The danger of life and property due to flooding or erosion damage;
  - (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - (4) The importance of the services provided by the proposed facility to the community;
  - (5) The necessity to the facility of a waterfront location, where applicable;
  - (6) The availability of alternative locations for the proposed use, which are not subject to flooding or erosion damage;
  - (7) The compatibility of the proposed use with existing and anticipated development;
  - (8) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - (9) The safety of access to the property in time of flood for ordinary and emergency vehicles;
  - (10) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; and,
  - (11) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water system and streets and bridges.
- (e) Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

  - (1) The issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and
  - (2) Such construction below the base flood elevation increases risks to life and property; and
  - (3) The Floodplain Administrator shall maintain a record of all variance actions, including justification for their issuance.

**14.64.055 Standards for Habitat Protection.**

The provisions of this section shall apply in the regulatory floodplain.

(a) Native Vegetation.

- (1) In the riparian habitat zone (required buffers per Chapter 14.88 and the Shoreline Master Program), native vegetation shall be left undisturbed, except as provided in Section 14.64.030.
- (2) Outside the riparian habitat zone, removal of native vegetation shall not exceed 35 percent of the surface area of the portion of the site in the regulatory floodplain. The applicant can count native vegetation in the riparian habitat zone portion of the property (required buffers per Chapter 14.88 and the Shoreline Master Program) toward this requirement.
- (3) If the proposed project does not meet the criteria of Section 14.64.030(a) and (b), the applicant shall provide a habitat impact assessment pursuant to subsection (c) of this section, and, if necessary, a habitat mitigation plan pursuant to subsection (d) of this section, prior to any approval of the proposed project.

(b) Compensatory Storage. New development shall not reduce the effective flood storage volume of the regulatory floodplain. A development proposal shall provide compensatory storage if grading or other activity eliminates any effective flood storage volume. Compensatory storage areas shall:

- (1) Provide equivalent volume at equivalent elevations to that being displaced. For this purpose, "equivalent elevation" means having similar relationship to ordinary high water and to the best available 10-year, 50-year and 100-year water surface profiles;
- (2) Be hydraulically connected to the source of flooding;
- (3) Provide compensatory storage in the same construction season as when the displacement of flood storage volume occurs and before the flood season begins; and
- (4) The newly created storage area shall be graded and vegetated to allow fish access during flood events without creating fish stranding sites.

(c) Habitat Impact Assessment. Unless allowed under Section 14.64.030(a) and (b), a permit application to develop in the regulatory floodplain shall include an assessment of the impact of the project on federal, state and/or locally protected species and habitat, water quality and aquatic and riparian habitat. The assessment shall be one of the following:

- (1) A biological evaluation or biological assessment developed per 50 CFR 402.12 to initiate federal interagency consultation under Section 7(a)(2) of the Endangered Species Act; or
- (2) Documentation that the activity fits within Section 4(d) of the Endangered Species Act; or
- (3) Documentation that the activity fits within a habitat conservation plan approved pursuant to Section 10 of the Endangered Species Act, where any such assessment has been prepared or is otherwise made available; or
- (4) An assessment prepared in accordance with Regional Guidance for Floodplain Habitat Assessment and Mitigation, FEMA Region X, 2010. The assessment shall determine if the project would adversely affect:
  - (i) Species that are federal, state or local listed as threatened or endangered;

- (ii) The primary constituent elements for critical habitat, when designated;
- (iii) Essential fish habitat designated by the National Marine Fisheries Service;
- (iv) Fish and wildlife habitat conservation areas, per Chapter 14.88, Part IV, or the Shoreline Master Program Appendix B; and
- (v) Other protected areas and elements necessary for species conservation.

(d) Habitat Mitigation Plan.

- (1) If the assessment, conducted under subsection (c) of this section, concludes the project will have an adverse effect on water quality and/or aquatic or riparian habitat or habitat functions, the applicant shall provide a plan to mitigate those impacts, in accordance with Regional Guidance for Floodplain Habitat Assessment and Mitigation, FEMA Region X, 2010.
  - (i) If the project is located outside the protected area, the mitigation plan shall include such avoidance, minimization, restoration, or compensation measures as are appropriate for the situation.
  - (ii) If the project is located in the protected area, the mitigation plan shall stipulate avoidance measures as are needed to ensure that there is no adverse effect during any phase of the project.
- (2) The proposed project shall incorporate the plan's habitat mitigation activities. The redesigned project and its mitigation components shall be the basis for the floodplain development permit.
- (3) The Floodplain Administrator shall not issue a certification of use and/or occupancy until the applicant completes all the work identified in the biological evaluation, biological assessment, and/or mitigation plan or provides the necessary assurance to complete unfinished portions of the project, in accordance with Section 14.16A.180.

**14.64.060 Definitions**

Alteration of watercourse. Any action that will change the location of the channel occupied by water within the banks of any portion of a riverine waterbody.

Appeal. A request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance or a request for a variance.

Area of shallow flooding. A designated Zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard. The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, AH, A1-30, AE, A99, AR. "Special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

Base flood. The flood having a one percent chance of being equaled or exceeded in any given year.

Base flood elevation (BFE). The elevation to which floodwater is anticipated to rise during the base flood.

Basement. Any area of the building having its floor sub-grade - i.e., below ground level - on all sides.

Building. See "Structure."

Critical Facility. A facility necessary to protect the public health, safety and welfare during a flood. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire and emergency operations installations, water and wastewater treatment plants, electric power stations, and installations which produce, use, or store hazardous materials or hazardous waste (other than consumer products containing hazardous substances or hazardous waste intended for household use).

Development. Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Elevation Certificate. The official form (Form 81-31) used by FEMA to provide elevation information necessary to determine the proper flood insurance premium rate.

Flood or Flooding.

1. A general and temporary condition of partial or complete inundation of normally dry land areas from:
  - a. The overflow of inland or tidal waters.
  - b. The unusual and rapid accumulation or runoff of surface waters from any source.
  - c. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (1)(a) of this definition.

Flood elevation study. An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Flood Fringe. The portion of the floodplain lying outside of the floodway.

Flood Insurance Rate Map (FIRM). The official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

Flood Insurance Study (FIS). See "Flood elevation study".

Floodplain or flood-prone area. Any land area susceptible to being inundated by water from any source. See "Flood or flooding."

Floodplain administrator. The community official designated by title to administer and enforce the floodplain management regulations.

Floodplain management. The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

Floodplain management regulations. Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain ordinance, grading ordinance and erosion control ordinance) and other application of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Flood proofing. Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

Floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "Regulatory Floodway."

Frequently Flooded Areas. Lands indicated on the most current FEMA map to be within the 100-year floodplain. These areas include, but are not limited to, streams, lakes, coastal areas, and wetlands

Functionally dependent use. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities.

Highest adjacent grade. The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure. Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - a. By an approved state program as determined by the Secretary of the Interior or
  - b. Directly by the Secretary of the Interior in states without approved programs.

Lowest floor. The lowest floor of the lowest enclosed area (including "Basement"). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than

a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

Manufactured home. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

Manufactured Home Park or Subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Mean sea level. For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

New construction. For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

One-hundred-year flood or 100-year flood. See "Base flood."

Recreational vehicle. A vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light-duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory floodway. See "Floodway".

Sheet flow area. See "Area of shallow flooding".

Special Flood Hazard Area (SFHA). See "Area of special flood hazard".

Start of construction. Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling,

floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure. For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Substantial damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

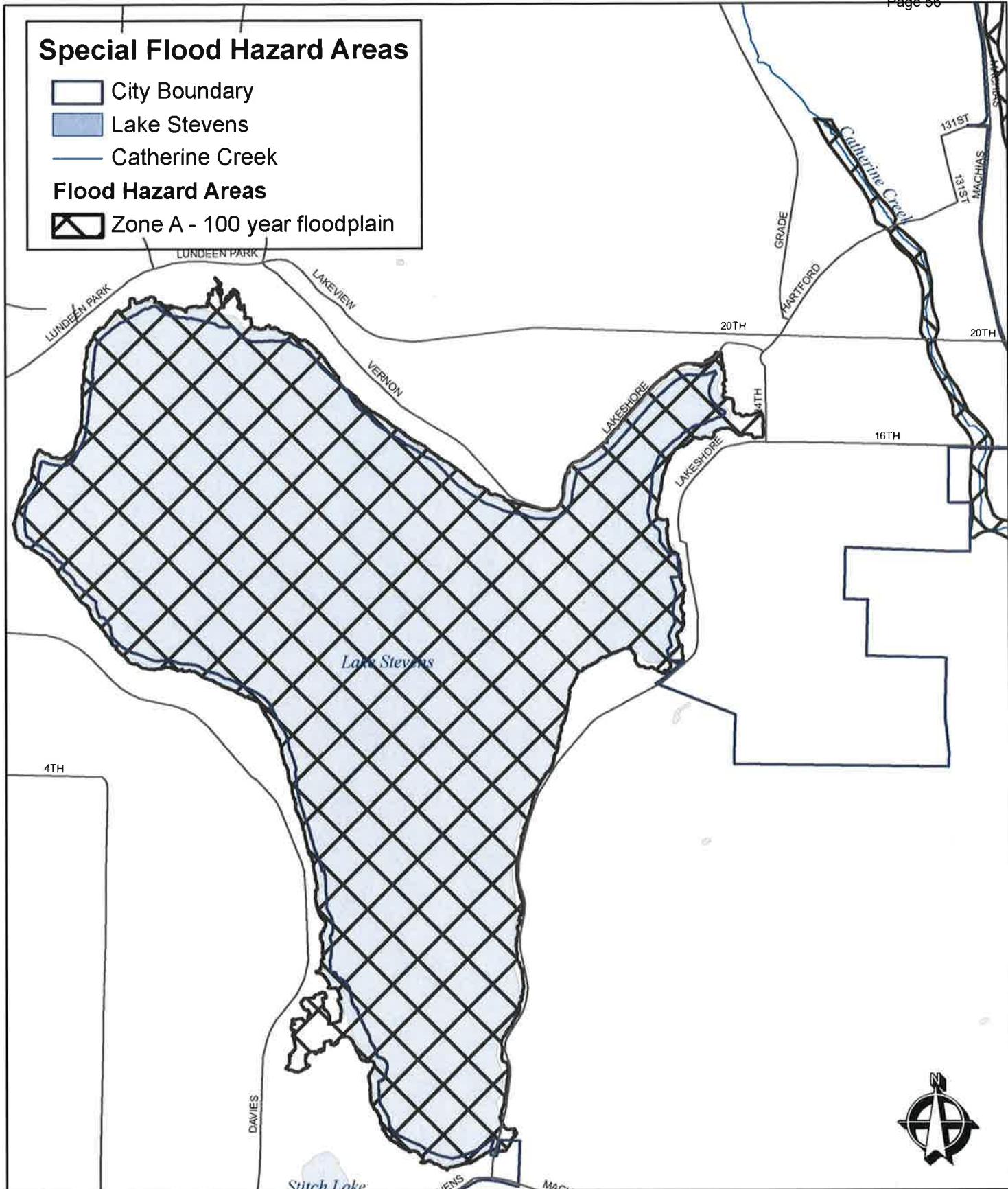
Substantial improvement. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Variance. A grant of relief by a community from the terms of a flood plain management regulation.

Violation. The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

Water surface elevation. The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.





LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda**

**Date:**

June 9, 2020

**Subject:** Interlocal Agreement with Snohomish Health District for Per Capita Contribution

**Contact Person/**

**Department:** Gene Brazel, City Administrator

**Budget Impact:** \$35,000 Est.

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Authorize the Mayor to enter into an Interlocal Agreement with Snohomish Health District for a Per Capita Contribution for Health District Services, in the amount of \$1 per capita, effective January 1, 2020, for fiscal year 2020, based on OFM's 2020 population estimate.

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**SUMMARY/BACKGROUND:** At the May 26, 2020 Council meeting, Heather Thomas with Snohomish Health District provided information on the Health District's response to the COVID pandemic and ongoing Health District activities and programming outside of COVID. Following the presentation and discussion, Councilmember Jorstad moved to resume per capita funding for Snohomish Health District in the amount of \$1 per capita for the year 2020, effective January 1, 2020. The City attorney requested the motion be tabled to allow for legal review, for the same reasons as the ILA was removed from that evening's agenda. Councilmember Jorstad tabled the motion to the next Council regular meeting. The substance of the tabled motion is included in the recommended motion above. Legally, a written contract between the Health District and City of Lake Stevens is required before funds can be transferred.

Historically, in 2017 and 2018 the city entered into Interlocal Agreements (ILA's) with the Snohomish Health District for per capita funding. In 2019 the Council determined to not provide the per capita funding until such time as the Health District could provide detailed financial information as described in the ILA. At that time the Council also requested language be included in the ILA providing for one-year extensions with mutual agreement of the city and district, and with Council approval. The Health District was not able to provide the financial information required under the ILA and Council declined to fund the per capita contribution in 2019. At the time the 2020 budget was prepared, in late 2019, Council did not make a per capita funding request for the Health District. Since that time, the Health District has undergone a change in administration and has improved its ability to meet the financial reporting requirements of the ILA.

With the advent of the COVID-19 crisis and resulting increased and continuing demands on the Health District to respond to this crisis, as well as continuing to provide other Health District services, Council provided direction to revisit per capita funding for the Snohomish Health District for 2020.

If the Interlocal Agreement for per capita funding by the City to the Health District is approved, a budget amendment will be brought forward at a later date.

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**APPLICABLE CITY POLICIES:**

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**BUDGET IMPACT:** **\$35,000** estimated, the contribution will be based on Office of Financial Management's estimate of population for 2020.

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**ATTACHMENTS:** Interlocal Agreement for Per Capita Contribution for Health District Services

**INTERLOCAL AGREEMENT  
BETWEEN THE SNOHOMISH HEALTH DISTRICT  
AND THE CITY OF LAKE STEVENS FOR  
PER CAPITA CONTRIBUTION FOR HEALTH DISTRICT SERVICES**

This Interlocal Agreement for Per Capita Contribution for Health District Services is entered into by and between the SNOHOMISH HEALTH DISTRICT, a Washington Municipal Corporation (the District) and CITY OF LAKE STEVENS a municipal corporation of the State of Washington (the City) – collectively (the Parties), for the purpose of providing for a per capita contribution by the City for Health District Services.

**RECITALS**

**WHEREAS**, This Agreement is made pursuant to the Interlocal Cooperation Act, Chapter 39.34 RCW; and

**WHEREAS**, to promote the public health in Snohomish County, Washington, the Board of County Commissioners of Snohomish County, Washington, established a Health District on January 1, 1959, embracing all of the territory within Snohomish County, Washington, and all cities and towns therein; and

**WHEREAS**, in 1966 the Snohomish Health District became the first local health jurisdiction in the state to organize a city-county cooperative health program with cities indicating a willingness to participate financially in support of Health District programs; and

**WHEREAS**, on January 1, 1967, eleven of 18 cities and towns agreed to voluntarily contribute \$0.50 per capita to the Health District in return for public health services; and

**WHEREAS**, per capita contributions from towns and cities continued and in 1986, with such contributions ranging from \$1.60 to \$2.70 per capita until the early 1990s; and

**WHEREAS**, in 1993, counties assumed exclusive financial responsibility for public health relying on Motor Vehicle Excise Tax (MVET) revenues; and

**WHEREAS**, in 2000, the Washington State Legislature repealed MVET and backfilled only 90% of lost public health funds; and

**WHEREAS**, the Health District has experienced a 21% decrease from its 2005 funding level while the county population has increased by 25 percent in the same 15-year period; and

**WHEREAS**, since the “peak” of 2008, the Health District has reduced its staffing by 48 percent (110 FTE) due to static or declining revenues in the face of increased costs; and

**WHEREAS**, the Health District ranks 34th out of 35 local health jurisdictions in the state for public health expenditures per resident; and

**WHEREAS**, the Health District’s ability to perform its most essential functions have been severely compromised since the great recession; and

**WHEREAS**, the Health District serves an essential public safety function whether ensuring safe food, schools, and septic systems, responding to disasters, or preventing and responding to disease outbreaks; and

**WHEREAS**, threats to the public's health in the form of foodborne illness such as E.coli and salmonella, communicable diseases such as pertussis, tuberculosis, measles, Zika, and Ebola and natural disasters such as the Oso/SR530 mud slide and the current COVID-19 pandemic respect no municipal boundaries; and

**WHEREAS**, public health is a shared responsibility and regional public health threats require regional responses and close partnerships with every city and town in Snohomish County; and

**WHEREAS**, consistent with RCW 70.05, the Snohomish County Council is responsible for establishing the Snohomish Health District Board of Health, with jurisdiction coextensive with the boundaries of the county, to supervise all matters pertaining to the preservation of life and health of the people within its jurisdiction; and

**WHEREAS**, an effective, regional public health response to the threats to public health in Snohomish County requires the cooperation, participation and support of Snohomish County and all of the cities and towns in Snohomish County; and

**WHEREAS**, Snohomish County and the cities and towns therein seek to improve and sustain healthy years of life of their residents by engaging in an enhanced partnership with the Health District. This partnership will provide stable funding for public health priorities that would be established to meet the unique needs of each community.

**NOW, THEREFORE**, in consideration of the agreements set forth below and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and the District agree as follows:

**1. Purpose.**

- A. The recitals set forth above are incorporated herein by this reference.
- B. The purpose of this Agreement is to establish and define the terms and conditions for the cooperative efforts to be undertaken by the City and the District to promote, facilitate, and undertake various programs and activities.

**2. Term.**

The initial term of this Agreement shall be from January 1, 2020, to December 31, 2020. The term may be extended by mutual written agreement of the parties for a period of one calendar year, following review and approval by City Council

**3. Scope of Services.**

**A. Responsibilities of the City.**

The City shall contribute \$\_\_\_\_\_.00 per capita (\$\_\_\_\_\_) to the Snohomish Health District commencing January 1, 2020. Payment may be made in one lump sum on or before December 31, 2020.

- B. The annual contribution to the Snohomish Health District is voluntary and the amount of contribution, if any, shall be determined by the Lake Stevens City Council.
- C. **Responsibilities of the District.**  
The Health District shall provide basic essential public health services and functions such as ensuring safe food, and inspecting septic systems, responding to disasters, or preventing and responding to disease outbreaks.  
  
The District shall continue to make improvements as recommended in the Ruckelshaus report, including a sustainable funding model, updating the strategic plan and governance, as well as establishing priorities for existing funding and programming.  
  
The District will provide reports to the city identifying services provided to Lake Stevens residents and businesses.

**4. Legal Requirements.**

Both parties shall comply with all applicable federal, state and local laws in performing this Agreement.

**5. Public disclosure laws.**

The City and the District each acknowledge, agree and understand that the other party is a public agency subject to certain disclosure laws, including, but not limited to Washington's Public Records Act, chapter 42.56 RCW. Each party understands that records related to this Agreement and the District's performance of services under this Agreement may be subject to disclosure pursuant to the Public Records Act or other similar law.

**6. Insurance.**

Each party shall maintain its own insurance and/or self-insurance for its liabilities from damage to property and /or injuries to persons arising out of its activities associated with this Agreement as it deems reasonably appropriate and prudent. The maintenance of, or lack thereof of insurance and/or self-insurance shall not limit the liability of the indemnifying party to the indemnified party(s). Each party shall provide the other with a certificate of insurance or letter of self-insurance as the case may be upon request.

**7. Indemnification.**

The District shall protect, save harmless, indemnify and defend the City its elected officials, officers, employees and agents, from and against any loss or claim for damages of any nature whatsoever, including claims by third parties or District employees against which it would otherwise be immune under Title 51 RCW or other law, arising out of any act or omission of the District in performance of this Agreement, its elected or appointed officials, officers, employees or agents, except to the extent the loss or claim is attributable to the negligence or willful misconduct of the City, its elected officials, officers, employees or agents.

The City shall protect, save harmless, indemnify and defend the District, its elected and appointed officials, officers, employees and agents from and against any loss or claim for damages of any nature whatsoever, including claims by third parties or City employees against which it would otherwise be immune under Title 51 RCW or other

law, arising out of any act or omission of the City in performance of this Agreement, its elected or appointed officials, officers, employees or agents, except to the extent the loss or claim is attributable to the negligence or willful misconduct of the County, its elected or appointed officials, officers, employees or agents.

**8. Notices.**

Any notice/payment to be given to the District under this Agreement shall be either mailed or personally delivered to:

**Snohomish Health District**  
3020 Rucker Avenue, Ste 306  
Everett, WA 98201

Any notice/invoice to the City shall be mailed or hand delivered to:

**City of Lake Stevens**  
P.O. Box 257  
Lake Stevens, WA 98258

Receipt of any notice shall be deemed effective three (3) days after deposit of written notice in the U.S. mail with proper postage and address.

**9. Venue.**

The laws of the State of Washington shall apply to the construction and enforcement of this Agreement. Any action at law, suit in equity, or judicial proceedings for the enforcement of this agreement or any provision hereto shall be in the Superior Court of Snohomish County, Everett, Washington.

**10. Disputes.**

The parties agree that, following reasonable attempts at negotiation and compromise, any unresolved dispute arising under this Agreement may be resolved by a mutually agreed-upon alternative dispute resolution of arbitration or mediation.

**11. No third party beneficiaries; no joint venture.**

This Agreement is for the sole benefit of the City and District and shall not confer third-party beneficiary status on any non-party to this Agreement. Nothing contained in this Agreement shall be construed as creating any type or manner of partnership, joint venture or other joint enterprise between the parties. County employees who provide services under this Agreement shall at all times be acting in their official capacities as employees of Snohomish County.

**12. Entire Agreement.**

This Agreement constitutes the entire agreement between the parties regarding the subject matter hereof, and supersedes any and all prior oral or written agreements between the parties regarding the subject matter contained herein. This Agreement may not be modified or amended in any manner except by written agreement executed by both parties. Both parties recognize that time is of the essence in the performance and the provisions of this Agreement.

**13. Severability.**

- A. If a court of competent jurisdiction holds any part, term or provision of this Agreement to be illegal or invalid, in whole or in part, the validity of the remaining provisions shall not be affected, and the parties' rights and obligations shall be construed and enforced as if the Agreement did not contain the particular provision held to be invalid.
- B. If any provision of this Agreement is in direct conflict with any statutory provision of the State of Washington, that provision which may conflict shall be deemed inoperative and null and void insofar as it may conflict, and shall be deemed modified to conform to such statutory provision.

**14. Filing.**

As provided by RCW 39.34.040, this Agreement shall be filed with the Snohomish County Auditor, or, alternatively, posted on the website of each party.

**15. Execution in Counterparts.**

This Agreement may be executed in two or more counterparts, each of which shall constitute an original and all of which shall constitute one and the same agreement.

**16. Effective Date.** January 1, 2020.

**City of Lake Stevens**

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Brett Gailey, Mayor

ATTEST:

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City Clerk

Approved as to Form:

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Greg Rubstello, City Attorney

**Snohomish Health District**

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Shawn Frederick, Administrator

ATTEST:

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Clerk of the Board

Approved as to Form:

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Grant Weed, Health District Attorney



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LAKE STEVENS CITY COUNCIL  
**STAFF REPORT**

**Council Agenda Date:** June 9, 2020

**Subject:** New Capital Projects Position in Public Works

<b>Contact</b>	Anya Warrington/Human Resources	<b>Budget</b>	Approx. \$108,203
<b>Person/Department:</b>	Eric Durpos/Public Works Director	<b>Impact:</b>	yearly

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**RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:** Authorize establishment of a full time Inspector/Engineer Tech - Capital Projects position in the Public Works Department.

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**SUMMARY/BACKGROUND:**

The Public Works department currently has several Capital Projects underway and anticipates continued growth and projects in the foreseeable future. There is an increasing need for inspections to ensure compliance with approved plans, specifications, safety, quality control, and compliance with various federal, state and local regulations. The City received a scope and fee to hire a consultant to conduct this onsite inspection work on the new 20<sup>th</sup> Street SE widening project. The estimated cost for construction management was \$800,000. The onsite inspection work for this project was estimated at \$600,000 for this 10-month project. Other Capital Projects currently ongoing that require the same needs are:

- 24<sup>th</sup> Street & 91<sup>st</sup> Avenue SE
- South Lake Stevens Road fish passage project
- Public Works shop remodel
- Decant Facility
- 117<sup>th</sup> Street sidewalk
- Frontier Heights Park
- North Cove Park Phase II
- Festival Street

Upon reviewing the list of current Capital Projects needs compared to the cost of hiring an outside consultant, the Public Works department can demonstrate that a full-time employee would bring more value to the city and be an effective cost savings. The proposed new classification of Inspector/Engineer Tech - Capital Projects will be part of a collaborative work team that is responsive to inquiries from the public, contractors, consultants, engineering professionals and staff.

The proposed position will require 5 years of experience as a Construction Inspector, or any combination of education and experience which provides the applicant with the desired skills, knowledge and ability required to perform the job, may be substituted for these qualifications.

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**APPLICABLE CITY POLICIES:** N/A

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**BUDGET IMPACT:** Hiring an applicant at mid-range NR26 would have a salary of \$72,598 and for a family of 4 benefits would cost approximately \$35,605, totaling to a budget impact of \$108,203 yearly. This position will be funded out of Capital Projects.

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**ATTACHMENTS:**

- Exhibit A: Draft job description for Inspector/Engineer Tech - Capital Projects

## CITY OF LAKE STEVENS POSITION DESCRIPTION

<b>POSITION TITLE:</b>	Inspector/Engineer Tech – Capital Projects
<b>DEPARTMENT:</b>	Public Works
<b>REPORTS TO:</b>	Public Works Director
<b>CLASSIFICATION:</b>	Non-Union; Non-Exempt
<b>SALARY RANGE:</b>	NR26
<b>EFFECTIVE DATE:</b>	June 10, 2020

### **POSITION PURPOSE:**

This is a skilled technical and paraprofessional position with an emphasis on performing inspections of capital projects to ensure compliance with approved plans, specifications, safety, quality control, and compliance with various federal, state and local regulations. Reviews plans, specifications and documents. Tracks items for cost control such as quantities of material, equipment and labor. The incumbent is part of a collaborative work team that is responsive to inquiries from the public, contractors, consultants, engineering professionals, and staff.

Work is characterized by a independent, routine, and sometimes specialized duties associated with inspection of capital projects. Requires the ability to make decisions within job responsibilities and take responsibility for such decisions.

Work is performed with limited supervision. The supervisor sets the overall objectives and resources available; once the incumbent gains proficiency in assigned tasks, more independence and discretion are expected in handling projects and priorities. The incumbent and the supervisor work together to develop deadlines, projects, and determine work to be completed. The incumbent is responsible for the work, plans and carries out the assignments, resolves most conflicts that arise, coordinates work with others, and interprets policies on own initiative in terms of established objectives and technical judgement. The incumbent keeps the supervisor informed of progress, potentially controversial matters, or far reaching implications. Work is reviewed in terms of feasibility, compatibility with other work, or effectiveness of results.

### **ESSENTIAL DUTIES AND RESPONSIBILITIES**- *Essential duties and responsibilities **may** include, but are not limited to, the following:*

- Independently performs a variety of routine and complex inspections for capital projects; assures work quality, cost control and compliance with approved plans, drawings and specifications, permits, standards, and codes including environmental protection laws.
- Inspects, monitors and documents activities of public works construction, transportation, utility projects and parks in all stages of construction, improvement, alteration, and repair to assure compliance with applicable Federal, State and local regulations;
- Provides cost control; identifies and documents deficiencies and deviations from quality and safety standards and project specifications; refers problems and disagreements in interpretation to project manager.
- Reviews plans and specifications of assigned projects to gain familiarity with the projects prior to inspection; performs field inspections to evaluate and validate the work performed; verifies quality of workmanship, quality of materials used, and compliance with plans, specifications, and applicable codes and regulations.

- Coordinates and witnesses tests of the work site, materials, and work products to assure quality and safety standards are met.
- Assists contractors with problems and concerns and responds within scope of authority; anticipates problems and pursues solutions; communicates project goals and objectives; assures effective communication of project status with project manager, city staff, contractors, and other parties.
- Coordinates traffic control activities as needed; assures rules and regulations are followed on all work zones and traffic control sites; maintains inspection records and provides required project documentation files.
- Processes pay requests and verifies quantities.
- Tracks load tickets to and from work sites.
- Tracks labor and equipment (i.e., certified payroll interviews).
- Schedules and attends weekly construction meetings.
- Attends pre-construction meetings.
- Authorizes field orders.
- Analyzes change orders and makes recommendations to project manager.
- Works closely with affected homeowners.
- Assists the public and other agencies in matters relating to capital projects; explains city codes, policies, procedures and regulations; provides information and recommendations within scope of authority.
- Supports the relationship between the City of Lake Stevens and the constituent population by demonstrating courteous and cooperative behavior when interacting with clients, visitors, and city staff; promotes city goals and priorities in compliance with all policies and procedures.
- Maintains confidentiality of work-related issues, client records, and city information.
- Other duties as assigned.

#### **PHYSICAL DEMANDS AND WORK ENVIRONMENT:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to use hands to finger, handle, or feel; talk; and hear. The employee is frequently required to stand; walk; reach with hands and arms; climb or balance; and stoop, kneel, crouch, or crawl. The employee is occasionally required to sit for extended periods of time and type on a keyboard for extended periods of time. The employee must occasionally lift and/or move up to 50 pounds. Specific vision abilities required by this job include close, distance, color, and peripheral vision; depth perception; and the ability to adjust focus.

Work is subject to driving to offsite locations and performed mostly in the field in a variety of weather conditions, while some time is spent in an office environment. While in the field, the employee must stand or walk on variable surfaces including hard, even surfaces and uneven ground, as well as sloped embankments. Employee often works in the right of way or construction sites and may be exposed to physical hazards such as moving traffic and heavy construction equipment. The employee is occasionally exposed to fumes or airborne particles. Indoors, the noise level is usually moderate; outdoors, the noise level may be moderate to loud.

Regular and reliable attendance is an essential function of this position.

Evening or variable hours to attend meetings may be required.

**QUALIFICATIONS:**

**Education, Training and Experience Guidelines**

**Education:** High school or GED equivalent;

**Experience:** Five years of experience as a Construction Inspector with a Washington state municipality;

**Or :** Any combination of education and experience, which provides the applicant with the desired skills, knowledge and ability required to perform the job, may be substituted for these qualifications.

**Knowledge of:**

- City of Lake Stevens construction and development standards.
- Technical aspects of the field of specialty.
- City storm drainage systems and facilities.
- Temporary Erosion and Sediment Control plans and practices
- City organization, operations, policies, and objectives.
- Drafting, surveying and hydraulics.
- Applicable health and safety regulations.
- Interpersonal skills using tact, patience and courtesy.
- Correct English grammar, spelling, punctuation, and vocabulary.
- Recordkeeping techniques.
- Research and analytical methods, practices, and procedures and report preparation and presentation.
- Modern engineering methods as applied to the design, project management and construction of general construction and capital projects.
- Mathematics and formulas including algebra, geometry, trigonometry and calculus.
- Effective oral and written communication principles and practices to include public relations, public speaking and professional business letter writing.
- Modern office procedures, methods, and equipment including computers and computer applications such as: word processing, spreadsheets, and statistical databases.
- Federal, State, and local construction and safety codes, regulations and standards, and specialized sources of construction safety information.
- Methods and techniques of inspecting public works construction projects and structures.
- Regulations, protocols, and standards governing construction inspection and plan review activities.
- Principles of design, construction, and maintenance of public works projects.
- Federal and State codes and regulations governing public works projects, including, American Association of State Highway and Transportation Officials (AASHTO), Manual on Uniform Traffic Control Devices (MUTCD), and WSDOT standards, protocols, specifications, and guidelines.
- Types of tests performed on construction materials and work sites, surface water management standards, and TESC (Temporary Erosion Sedimentation Control) practices.
- Occupational hazards and safety precautions.

- Principles of record keeping and records management.

**Skilled In:**

- Using independent judgment within established procedural guidelines.
- Interpreting statutes, rules, ordinances, codes and regulations, and comparing them with plans and technical specifications.
- Using technical knowledge of construction methods and sound inspection procedures to evaluate workmanship and materials quality and detect deviations from construction and safety standards.
- Reading and interpreting construction drawings and specifications and comparing them with construction in progress.
- Reviewing and verifying mathematical calculations.
- Providing advice and consultation on standard construction methods and compliance requirements.
- Establishing and maintaining effective working relationships.
- Operating a personal computer utilizing a variety of standard and specialized software.
- Maintaining accurate and interrelated technical records.
- Communicating effectively verbally and in writing.

**Ability to:**

- Maintain regular, predictable and reliable attendance during scheduled hours.
- Participate as a contributing member of a service-oriented team.
- Organize work for maximum efficiency.
- Work from construction plans, blueprints, site drawings, sketches, and electronic files.
- Read, interpret, apply, and explain codes, rules, regulations, policies and procedures, and general business correspondence.
- Establish and maintain effective working relationships with staff, management, vendors, outside agencies, community groups and the general public.
- Demonstrate positive and effective support, interaction and communication with individuals of diverse social and economic backgrounds.
- Analyze situations accurately and adopt an effective course of action.
- Remain professional when dealing with hostile and/or irate contractors, owners and citizens.
- Anticipate problems in advance of their occurrence and eliminate them when possible.
- Apply common sense understanding to interpret and to carry out instructions furnished in written, oral, diagram, sketch, or schedule form.
- Solve practical problems and deal with a variety of variables in situations where only limited standardization exists.
- Plan, organize, and prioritize work assignments to meet schedules and timelines.
- Act in fair, honest, and ethical manner.
- Maintain confidentiality and communicate with tact and diplomacy.
- Work independently with minimal direct supervision.
- Understand and follow oral and written directions.
- Maintain records and schedules and submit reports as required.
- Work safely and in compliance with federal and state laws and regulations, and within city policies and standards.

- Communicate effectively, orally and in writing, including the ability to listen effectively and to explain applicable legal requirements, policies, and procedures to internal and external customers.
- Perform research and analysis on engineering, environmental or water resources issues.

**LICENSES OR CERTIFICATE REQUIREMENTS:**

- Valid State of Washington Driver License and a driving record which meets the city's requirements.
- Certified Erosion and Sediment Control Lead (CESCL) certification, or ability to obtain within one month of hire.
- Traffic Control Flagger card
- Completion of position-relevant background check.

This position description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

EMPLOYEE NAME (printed)

EMPLOYEE ACKNOWLEDGEMENT

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DATE